

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in The Council Chamber, County Hall on 4th October, 2010

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, S. Healy, 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, E. Drennan, S. Carr, G. Walsh
Meetings Administrator	Mr. John O'Mahoney
Minutes	On the proposal of Cllr. Pat English and seconded by Cllr. Tom Acheson the Minutes of the Council Meeting held on 6 th September, 2010 were adopted.
Conferences	<p>On the proposal of Cllr. Michael Fitzgerald and seconded by Cllr. Joe Brennan, it was agreed that:-</p> <p>Cllrs. Michael Anglim, Richie Molloy and Denis Leahy be nominated to attend conference organised by Kadenza Consultancies entitled "Report of the Local Government Efficiency Review Group" at Whites Hotel, Wexford on 1st – 3rd October, 2010</p> <p>Cllr. Siobhan Ambrose be nominated to attend conference organised by Greystones Town Council entitled "Local Democracy in Changing Times at Charlesland Golf & Country Club Hotel, Greystones on 1st – 3rd October, 2010</p>

Cllrs. Richie Molloy and Louise McLoughlin be nominated to attend conference organised by the National Youth Council of Ireland entitled "National Youth Employment Conference" in Croke Park, Jones Road, Drumcondra, Dublin 3 on 5th October, 2010

Cllr. Sean McCarthy be nominated to attend conference organised by The Retirement Planning Council of Ireland entitled "Retirement Ireland 2010 – Does Ireland have a strategy? At the Aviva Stadium, Dublin on 6th October, 2010

Cllrs. Michael Fitzgerald, Liam Ahearne and Eddie O'Meara be nominated to attend conference organised by Wicklow County Council entitled "Ballynagran Zero Carbon Community Project at Clermount College, Wicklow County Campus on 6th October, 2010

Cllrs. Liam Ahearne, Eddie O'Meara, Joe Donovan, Jack Crowe, Tom Acheson, Mary Hanna Hourigan, Sean McCarthy, Michael Anglim and Marie Murphy be nominated to attend conference organised by LAMA entitled "Local Government – Efficiency and Financing" at Listowel Arms Hotel, Listowel, Co. Kerry

Cllr. Tom Acheson be nominated to attend conference organised by Esperanza Enterprises entitled "Planning & Development Amendment Act 2010" at Hannon's Hotel, Roscommon on 15th – 17th October, 2010

Cllrs. Mary Hanna Hourigan, Sean McCarthy, Michael Fitzgerald and Liam Ahearne be nominated to attend conference organised by Respond Housing Association entitled "Community Development – Creating Sustainable Social Housing Communities at Ashling Hotel, Dublin on 19th October, 2010

Cllr. Louise McLoughlin be nominated to attend conference organised by Pobal entitled "All Island Conference on Combating Rural Poverty and Social Exclusion at Boyne Valley Hotel, Drogheda, Co. Louth on 21st October, 2010

Cllrs. Joe Brennan, Darren Ryan, Liam Ahearne and John Fahey be nominated to attend conference organised by TASC entitled "Towards Recovery" at Croke Park Conference Centre, Dublin on 22nd – 23rd October, 2010

Cllr. Louise McLoughlin be nominated to attend conference organised by CMG Events entitled "Flood Relief Infrastructure Conference" at Royal Marine Hotel, Dun Laoghaire on 28th October, 2010

**Section 183
Notice –
Disposal of part
of property at
Drom Coain,
Ballyclerihan**

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

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, South Tipperary County Council hereby approve of the disposal of property at Ballyclerihan, Co. Tipperary containing approximately 0.289 acres to the Brothers of Charity in accordance with the terms of the Notice under the above Section, as circulated on the 23rd September, 2010.

**Section 183
Notice –
Disposal of
property at
Strylea Road,
Fethard**

It was proposed by Cllr. Marie Murphy
Seconded by Cllr. Joe Brennan
And Resolved:-

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, South Tipperary County Council hereby approve of the disposal of property at Strylea Road, Fethard, Co. Tipperary containing approximately 0.510 acres to the Brothers of Charity Services South East, Belmont Park, Waterford in accordance with the terms of the Notice

under the above Section, as circulated on the 23rd September, 2010.

Financial Report to end of August 2010

The financial report to the end of August 2010 had been circulated to the members. Ms. E. Drennan, Head of Finance informed the meeting that expenditure was in line with the budget. Refuse charges were highlighted as an area of concern and in this regard a working group had been established to examine options in relation to the service.

Members made comments/suggestions in relation to the marketing of the service and the implementation of the waiver scheme.

Mr. Sean Keating thanked the members for their comments which would be reported back to the Working Group. The working group was considering all aspects of the service and it was expected that they would have completed their review by early November.

District Service Centre Enhancements Schemes for New Inn, Newcastle and Cappawhite

A report had been circulated to the members on proposed District Service Centre Enhancement Schemes for the villages of New Inn, Newcastle and Cappawhite. Ms. S. Carr pointed out that due to limited funds these schemes would be implemented over time and the works would be carried out through the Area Engineers.

Members welcomed the schemes.

County Managers Orders for September

County Managers Orders for the month of September were noted.

Funding to Disability Service Providers

The Council considered the following Notice of Motion in the name of Cllr. Darren Ryan: -

“That this Council calls on the

Ministers for Finance and Health to ensure that the HSE ring fence all funding to Disability Service Providers to prevent any reduction on service provision and furthermore that all respite services in both Adult and Children's services be retained".

This motion received the support of the members.

Notice of Motion

Clonmel Garda Station

The Council considered the following Notice of Motion in the name of Cllr. Darren Ryan: -

"That this Council write to the Minister for Justice, Equality & Law Reform, Mr. Dermot Ahern, TD requesting him to visit Clonmel Garda Station to inspect the deplorable conditions members of Clonmel Gardai have to work in and secondly to see how inadequate the Public Office space is".

This motion received the members support and it was agreed that the motion would also be forwarded to the Office of Public Works.

Sewage pumping stations at Barrack Street, and Castle Car Park, Cahir

The Council considered the following Notice of Motion in the name of Cllr. Seanie Lonergan: -

"That a report is urgently provided on the condition of the sewage pumping stations at Barrack Street, Cahir and the Castle Car Park. The car park pump station is frequently giving off a very bad smell and the barrack street station needs constant attention for the last number of years".

Odour at Town Centre Car Park

The odour was traced to the ducts at the Pump Station Panel Kiosk. These have

been sealed and the odour has been eliminated. We will continue to monitor this issue over coming weeks.

Barrack St.

Recently there have been some difficulties with the pump station at Barrack St. The diurnal flow pattern frequently contributes to accumulations of materials within the sewer network, which ultimately cause blockages at the pump station. This has necessitated frequent accessing of the station by operational staff. In order to carry out this work safely (for both employees and member of the public), the area has to be cordoned off and the covers opened to provide access. Pump station difficulties have been less frequent in recent weeks as alternative pumping technologies have been employed.

**Vegetation
along the River
Suir**

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

“That the vegetation at either side of the walkway along the River Suir, from Two Mile Bridge to Sir Thomas Bridge, be cut back to allow access for pedestrians who wish to use this amenity”.

Arrangements have been put in place to cut back vegetation on the section of towpath as outlined in the Notice of Motion.

**Fire Station in
Cashel**

The Council considered the following Notice of Motion in the name of Cllr. Tom Wood: -

“That the Manager update the Council on the progress to date for a new fire station in Cashel”

Approval in principle was given to this project in 2007. We then carried out

qualification for design team using the new public contracts and Dermot Merry Architects were appointed in March 2008. The preliminary design and cost plan was submitted to the Department in late 2008. Further to a submission, approval was given by the Department to proceed only to the design and planning stage in August 2009. The planning application was submitted in early 2010.

The planning process has highlighted some issues with the surface water management in the Wallers Lot area, particularly in the context of the newly published Flood Risk Assessment Guideline documents. There has been a number of meetings in relation to the application and a decision is to be made in relation to the most suitable site location in the context of the flood risk assessment document for such a critical piece of infrastructure. This is subject to a further information request by the Planning Authority and will be considered by the end of 2010. It is anticipated that these issues will be dealt with before the end of 2010 and that the planning application will be processed accordingly.

It is important to emphasise that the current approval is only to proceed to planning stage. The development is dependent on 100% capital funding from the Department.

**Repairs at
Ashlawn Estate,
Clerihan**

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

“That immediate repairs be carried out on the six dangerous potholes on the roadway at Ashlawn Estate, Clerihan and also the tarmac surrounding the manhole cover at the entrance to the estate”.

**Planning laws
relation to the
N8**

Repairs to the road surface in Ashlawn Estate were carried out on the 20th September 2010. Repairs to the manhole will be carried out when accommodation works on the Cashel Road re-surfacing have been completed and should be finished at the start of November. The Council considered the following Notice of Motion in the name of Cllr. Tom Wood: -

“That the Manager advise as to the possibility of reviewing the planning laws relation to the N8 as its no longer a National Primary Route since the establishment of the motorway”.

We can confirm that the Planning Department is actively reviewing this issue in the context of a wider examination of the implications of the Regional Roads Policy (N8 is now a Regional Road) as set out in the County Development Plan, on persons seeking to build a dwellinghouse for their own use.

This matter has been raised by a number of Elected Members in the context of planning applications and pre-planning application discussions. With these working examples in mind we will have completed a Draft Protocol document for discussion with the Party Whips (a meeting will be scheduled for the third week of October 2010) to form the basis of an agreed approach that balances the requirement to protect the important strategic economic function of the Regional Roads in South Tipperary and the wider South East Region, with the objective of meeting the genuine housing needs of persons that can demonstrate a location specific requirement to reside at a particular site along a Regional Road. After having agreed the Protocol document it is our intention to discuss same at the Area Roads meetings.

Audit of all public lighting throughout the County

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

“That the Council call on Airtricity to carry out an urgent audit of all public lighting throughout the County and undertake to repair all out-of-order lights in advance of the winter period”.

Under South Tipperary Council’s (STCC) current contract with Airtricity Utility Solutions (AUS), for maintenance and repair of public lighting, AUS carry out regular patrols or “audits” of all public lighting throughout the County.

The public lights listed in AUS’s “Public Lighting Management System” (PLMS) are patrolled 12 times annually in order to detect lamp failures, during the eight month period from September to April at the following frequency:

Month	No. of Patrols Per
January	2
February	2
March	1
April	1
September	1
October	1
November	2
December	2

In the event of a failed lamp being logged in AUS’s PLMS as a result of: -

- being detected on the patrols or
- AUS being notified in writing by any third party or
- on receiving a call regarding failed lamps, AUS logs the call into PLMS,

and lamp bulbs are replaced within 10 working days of first notification.

The purpose of the patrol and contract is to ensure a satisfactory standard of operation of public lighting throughout the County. Airtricity are currently engaged in carrying out patrols and repairs.

It should be noted, however, that the maintenance contract does not cover repairs to damaged/vandalised public lighting columns and/or lights. These repair works are ordered by the Council and paid for separately from the maintenance contract.

During discussion which followed issues were raised in relation to areas where public lights were not functioning, the possible attendance of an Airtricity representative at a Council meeting and reference was also made to improved responses in a number of areas and potential use of the Council's website.

Flood Hazard Mapping

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

“That the Council make available the latest “Flood Hazard Mapping” report for South Tipperary on their website”.

The Council will make available to the public, free of charge and on-line the recently purchased Predictive Flood Risk Mapping supplied by JBS Consulting which covers all river catchments in the County. We have instructed our ICT Department to upload the Mapping in the most user friendly manner available. Details of location of the Mapping and instructions to download and print same will be posted on the Website shortly.

Cllr. Healy referred to the effect the flood maps would have on planning applications and Mr. O'Mahoney, Senior Planner confirmed that the zoned areas would have to be taken into consideration when considering planning applications.

Street Light at the bus stop in Lisronagh

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

"That the Council provide a street light at the bus stop in Lisronagh".

No new public lights will be erected in 2010 because no funding provision was made for such in the Roads Budget 2010 due to reduced funding allocations. Accordingly, it will not be possible to erect a public light as requested.

Local Authority Fás Schemes in South Tipperary

The Council considered the following two Notice of Motions in the name of Cllrs. Tom Wood and Jack Crowe: -

"That in view of the threat to Local Authority Fás Schemes in South Tipperary, the Director of Services would outline the situation and the members would take whatever steps are deemed necessary to protect employees on these schemes".

"That this Council call on Fás not to reduce the number of Workers and Supervisors employed on the Community Employment Schemes by South Tipperary County Council in view of the recent severe reductions as proposed by the Fás authorities – as these employees carry out vital functions on behalf of the Council".

In July we were informed that FAS had made a decision to reduce the number of placements in South Tipperary. At a

meeting on the 13th August 2010 with Marius Cassidy and Jim Coughlan, Regional Director of South East FAS we were informed that the numbers of placements in South Tipperary would reduce from 600 to 450, and within South Tipperary Local Authorities (excluding Carrick-on-Suir) placements would reduce from 65 to 32 including supervisors.

Naturally we expressed our concern that in the current climate this move will have a significant impact on the wider community. In this regard we made a detailed submission to FAS and, for example we stated, that unemployment levels have increased in the county by an average of 300%. We also reminded FAS that we have significant disadvantaged areas in the county designated under Rapid and CLAR, and therefore any review of C.E. Scheme should take account of the wider socio-economic circumstances rather than just changing population and unemployment statistics. However, our strong representations to maintain our numbers were not successful, and FAS has made a unilateral decision to reduce numbers, and we are now required to make plans to reduce numbers accordingly. In this regard we will be consulting with all town councils and sections of the county council involved in the FAS programme. We have been advised by FAS that current placements will continue until the end of their contract, but at that time many placements will not be filled until we ultimately reach a situation where we have 30 placements and 2 supervisors with South Tipperary County Council.

South Tipperary has benefited greatly from having high-quality C.E. Schemes and the proposed reduction will have significant and far-reaching impacts.

Cllr. Wood and Cllr. Crowe referred to the worthwhile work carried out by the Community Employment Schemes and voiced their opposition to any reduction in the numbers employed on the scheme. Cllr. Crowe proposed that the Director of Fás in the South East Region be invited to a meeting of the Council and this was seconded by Cllr. M. Hanna Hourigan. Cllr. Landy proposed that a deputation to Minister Batt O’Keeffe be sought and this was seconded by Cllr. Michael Murphy. Members supported both proposals.

**Blackthorn Wall,
Mullinahone**

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

“That the County Manager advise as to when Blackthorn Wall, Mullinahone is going to be taken in charge”.

Planning permission for the above development of 20 houses was granted by the Council on 27 May 2002 and an application to have the estate taken in charge was made by the developer Mr. Neil McCann in March 2007. Subsequent to this application being received an inspection was carried out by the Council and a detailed list of works was provided to the developer for completion before the Council could take this in charge.

These works include the provision of a CCTV survey, works to roads and footpaths and the green area and to the sewerage system.

Some works have been carried out here. However, there is evidence of difficulties with the sewer lines with blockage and rubble, these matters have not been rectified nor has a CCTV survey been undertaken. To be sure that the sewerage system is functioning properly it is necessary to have it cleaned out and a CCTV survey undertaken.

This estate can be taken in charge when the Council is satisfied that the sewerage system is working satisfactorily.

Cllr. O'Meara queried the inspection of the sewer lines and Mr. Jim O'Mahoney undertook to provide him with a report on the survey of the sewer.

**Housing Aid for
Elderly &
Disabled
Persons Grants**

The Council considered the following Notice of Motion in the name of Cllr. Eddie O'Meara: -

“Could the Housing Section explain the delay in processing grants under Housing Aid for Elderly & Disabled Persons Grants and will allocations for these purposes be lost at the County if they are not spent”.

I wish to confirm that the matter has been examined and I wish to reply as follows:

The Housing Grant scheme is currently being administered having regard to available staff resources within the Housing section and I am satisfied that the administration of the scheme is being carried out as effectively and efficiently as possible having regard to said resources.

As members will be aware, the combined capital allocation, which was notified to this Council in March 2010, for the payment of the Disabled Persons Grant Scheme and the Housing Adaptation Grants for Older People and People with a Disability schemes, for private dwellings, **is €3,126,666**. The authority's allocation is broken down as follows:

➤ **Disabled Person/Essential Repairs Grant**

- Allocation is **€48,755** of which €16,252 is to be provided from this Council's own revenue resources.

- **Housing Adaptation Grant for People with a Disability, Mobility Aids Grant and Housing Aid for Older People Grant.**
- Allocation is **€3,077,911** of which €615,582 is to be provided from this Council's own revenue resources.

The Department recoups 2/3 of the cost of individual grants to local authorities in respect of grants paid under the Disabled Persons and Essential Repairs Grants Schemes and 80% of the cost of individual grants paid under the new Adaptation Grants for Older People and People with a Disability Schemes.

As members will also be aware, it was necessary during 2009 for the Council to put in place an implementation policy prioritising applications under this scheme on the basis of

- (i) Medical needs of the applicant, and
- (ii) Urgency and Necessity of the identified works.

The policy refers to three levels of priority grant aided works, which are categorized according to the nature of the works.

Emergency Cases

Criteria:

- Housing Aid for Older People – Where alterations/adaptations would alleviate the immediate need for emergency accommodation.
- Mobility Aids Grant and Housing Adaptation Grant for People with a Disability – Where alterations/adaptations would facilitate immediate discharge from hospital or alleviate the immediate need for hospitalization following an immediate change in the applicants

circumstances arising from a car accident, stroke, heart attack.

Qualifying Works: Grab Rails/Ramps/
Level Access Showers/Stair Lifts/Roof
repair/Rewiring

Timescale for Completion: Works must
be completed within 15
working days.

Priority 1

Criteria:

- *Housing Aid for Older People* – in accordance with the Housing Aid for Older People Implementation Scheme adopted by this Council at the July 2008 meeting, namely allowable works required immediately due to medical grounds; works which if not undertaken will lead to deterioration of house; works which if not undertaken could endanger occupants.

- *Mobility Aids Grant and Housing Adaptation Grant for People with a Disability* – Where applicants' are terminally ill, or fully/mainly dependant on family or carer; or where alterations/adaptations would facilitate discharge from hospital or alleviate the need for hospitalization in the future.

Priority 2

Criteria:

- *Housing Aid for Older People* – in accordance with the Housing Aid for Older People Implementation Scheme adopted by this Council at the July 2008 meeting, namely allowable works which will eliminate future deterioration of dwelling.

- *Mobility Aids Grant and Housing Adaptation Grant for People with a*

Disability – Where applicants' are mobile but need assistance in accessing washing, toilet facilities, bedroom etc; or where without the alterations/adaptations the disabled person's ability to function independently would be hindered.

Priority 3

Criteria:

- Housing Aid for Older People – in accordance with the Housing Aid for Older People Implementation Scheme adopted by this Council at the July 2008 meeting, namely allowable works which will improve the general appearance/living conditions for the occupants.

- Mobility Aids Grant and Housing Adaptation Grant for People with a Disability – Where applicants' are independent but require special facilities to improve the quality of life, e.g. separate bedroom/living space.

Prioritising works necessitated timescales being put in place and the scheme provides that

1. All Priority 1 grant applications received up to and including 30th June of the given year will be vetted and approved, ***providing a sufficient budget is available.***
2. Assuming there is still a budget remaining at the 30th June; Priority 2 grant applications previously received will be approved as well as Priority 1 grants up to a maximum approval of 90% of the budget for the given year.
3. At the 1st October in any given year Priority 3 grant applications will be assessed in the context of the remaining budget for that year.

Current Position

The current financial position with regard to the operation of the Disabled Persons and Essential Repairs Grant Schemes and the Housing Adaptation Grants for Older People and People with a Disability Schemes at 30th September 2010 is set out in the table below.

As can be seen from the figures, this Council has to date expended €1,692,777 which represents 54% of its 2010 allocation with a further €2,443,718 approved as commitments pending completion of works, showing a total commitment in 2010 of €4,136,494, (32% in excess of the 2010 allocation).

In relation to the number of applications received to date, I can confirm that this Council has received a total of 814 applications of which 662 were received before the end of June 2010. This represents an increase of 64% on the no. of applications that this Council received for the same period in 2008 as no applications were being processed in 2009 due to lack of funding. 114 applications were returned as invalid leaving a total of 700 applications to be processed by the Council to the end of September. A total of 350 applications (50%) have been approved to date, a further 66 (9%) are ready for decision, 26 (4%) have been refused, 12 (2 %) withdrawn/cancelled, leaving 246 (35%) applications to be processed. Of this amount a total of 125 have been deferred awaiting further information and 121 are awaiting an O/T report or a technical inspection.

As provided for in the Council's priority needs scheme, it is the intention of the Council to continue to process and make a decision on all remaining priority 1 application's received up to the end of June 2010 in relation to the 3 grant

schemes. All remaining Priority 2 & 3 applications will then be dealt with subject to sufficient funding being available and will be processed on an approval in principle basis.

Leak at Kickham Street, Mullinahone

The Council considered the following Notice of Motion in the name of Cllr. Eddie O'Meara: -

"That an explanation be given as to why a leak at Kickham Street, Mullinahone was not repaired between 9th and 21st September even though this was reported to water services on several occasions between those dates".

Due to the water conservation and leak detection projects, there is currently a backlog of identified leaks awaiting repairs. In such cases, and particularly where staff shortages occur, leaks are dealt with on a prioritised basis, with mains breaks receiving attention first. The leak at Kickham Street, Mullinahone was not a priority as it was minor in nature and not affecting customer supplies.

The leak has since been repaired.

Cllr. O'Meara expressed his dissatisfaction with the reply that the leak had continued for so long.

Local Authority Rates and Government Charges

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

"Businesses have been hit hard by falling revenue's, rising fuel and utility costs. For decades, local authorities used the rate of inflation as a benchmark for increases in local authority rates. Ireland has now experienced deflation and in line with

Fine Gael policy, I propose that South Tipperary County Council cut all government charges that apply to business and local authority rates for the next three years at least”.

The Council is very conscious of the current economic difficulties being experienced by businesses in South Tipperary. The commercial rate for each year is determined by the adoption of the draft Budget by the Members for the relevant year.

This council must prepare and adopt a balanced budget for 2011, in preparing the Draft Budget for the Members consideration, all area's of income and expenditure will be reviewed. Consultation will take place with the Corporate Policy Group as part of the process.

It is not possible to look at the determination of the annual rate on valuation in isolation and all charges to business and individuals will be reviewed.

A large portion of our expenditure budget relates to the statutory functions which this council must provide such as housing, fire services, road repairs and maintenance, water supply and sewerage treatment etc. There are also particular elements of our expenditure over which we have no discretion such as pensions, payroll costs, loan charges, insurances, statutory demands, etc.

This council is also hit by falling revenues, increases in interest rates and rising fuel costs. In addition our funding from central government has reduced dramatically over the past two years. Local Government Fund reduced by 12% and Road Grants reduced by 27% with further reductions likely for 2011.

Preparing a balanced budget for 2011 presents a very difficult challenge. It is unlikely that expenditure can be reduced further without affecting services and the scope for increasing charges is very limited.

However this Council must prepare and adopt a balanced budget for 2011 and in preparing the Draft Budget for the Members consideration, all expenditure and sources of income (including local authority charges) will be reviewed to try and keep them to a minimum while maintaining essential services.

A number of members raised issues in relation to other sources of income and costs. It was noted all issues would be considered comprehensively during the budget process.

Footpath at Cois Na hAbhainn, Ballyporeen

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

“I call on South Tipperary County Council in the interests of health and safety to build a footpath from the new council housing estate at Cois na hAbhainn, Ballyporeen, to link up with existing footpaths in the village”.

It is accepted that a footpath will be required to link up the new Council housing development, which also incorporates a childcare facility with a public playground, with the existing footpaths in the village.

This matter is being investigated further and a further reply will be issued in due course.

House Building Programmes

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

"A recent circular issued by the Dept of the Environment, Heritage and Local Government states that no further house building programmes be undertaken except in exceptional circumstances. This enormous shift in policy exposes Government failure in meeting targets in the provision of social housing around the country. I call on this Council, in light of this shift in policy, to explain fully how it is going to tackle the ever increasing housing list that we have at present".

I wish to confirm that the matter has been examined and I wish to reply as follows: - The social housing need for the county area (exclusive of the Borough and Town Councils) as at 30th September 2010 is 669 which, shows an increase of 36.5% on the housing need at 31st December 2009. The current economic situation represents a major factor in the significant increase in applications for housing support over the last number of years. In attempting to meet this need, the key focus for this Council is that the future social housing supply will lie with the expanded suite of non-construction supply options, including the Social Housing Leasing Initiative and the Rental Accommodation Scheme.

Funding for traditional social projects – construction, purchase and Part V has been greatly reduced in 2010. New construction proposals, with the exception of those with regeneration benefits, will only be considered in very exceptional circumstances, e.g. infill to address anti-social behaviour, special needs etc. In tandem with this shift in the focus of the programme, an increased emphasis is placed on the management and improvement of the existing stock of local authority owned dwellings.

Given general uncertainties surrounding the level of funding that will be available for SHIP in 2011, it is unlikely that the allocations for 2011 will exceed 50% of the 2010 allocation.

In preparing its social housing programme for 2011 to 2012, this Council will be required to have regard to the following:

- The requirement to maximize the level of social housing output to meet housing need which will involve using a range of delivery mechanisms as referred to above, and also engaging the voluntary/co-operative and private sectors to provide accommodation.
- Contractual commitments arising from leasing/RAS payments, Part V agreements and projects under construction will have a first call on Exchequer funding.
- Regard should be given to the level of suitable vacant accommodation in the county that may be available for leasing or acquisition.
- To be mindful of the commitments thresholds for 2012 to 2013 when putting forward projects for approval in 2011. Commitments for 2012 and 2013 should not be higher than 50% and 25% of the 2011 allocation, respectively

Having regard to the above and the Council's capital allocation in 2010 of €3.35 million, the key message is that for 2011, and the foreseeable future, the primary method of Local Authority social housing provision will be by means of long term leasing, RAS, Part V acquisitions, new/second hand acquisitions and casual vacancies.

Notwithstanding the above, it is important to note that the level of allocations

achieved by this Council over the last number of years has remained consistent having regard to the various delivery mechanisms now available to meet its social housing need and shows that this Council can respond to the shift in Government policy.

Cllr. Healy expressed his view that local authorities should return to house building programmes and this was supported by Cllr. Landy.

Home Help Service

The Council considered the following Notice of Motion in the name of Cllr. Seamus Healy: -

“That we call on the Minister for Health and the Health Service Executive to stop cutbacks in the Home Help Service and make additional Home Help hours available for the elderly of South Tipperary”.

This motion received the support of the members.

Ahenny High Crosses

The Council considered the following Notice of Motion in the name of Cllr. Denis Landy: -

“That this Council provide an update on efforts to preserve the Ahenny High Crosses”.

I wish to advise that the condition of the High Crosses was considered previously by this Council at a meeting in May 2009. At that time it was confirmed that these crosses were in the guardianship/ownership of the National Monuments Section of the Department of the Environment, Heritage and Local Government. Following the meeting, we contacted the Minister for responsibility Minister M. Mansergh and asked that he would assist as appropriate in ensuring

that appropriate steps were taken to protect the crosses. We do not appear to have received any further information since then, but will contact the relevant Department again and request updated information be provided.

I trust this is of assistance to you.

**River Walk
between Carrick
on Suir and
Clonmel**

The Council considered the following Notice of Motion in the name of Cllr. Denis Landy:

“That this Council provide a report on the proposed development project to upgrade the River Walk between Carrick on Suir and Clonmel”

The report on the Towpath audit, commissioned by the Clonmel Area Office and Ms. Labhaoise McKenna, Heritage Officer, was received in April 2010. This audit, completed by Mr. Niall McManus of Earthroute Consultants, included:

- 1) a comprehensive survey of the existing condition of the Towpath from Clonmel to Carrick-on-Suir,
- 2) recommended upgrading works to be carried out on the Towpath surface in-line with best practice walkway design,
- 3) prioritized phasing of works to be carried out when funding is available.

It has not been possible to make further progress on this project due to staffing commitments to the Annual Roadworks Programme. Further work will be carried out over the next 3 months and a draft programme of works, costings, funding proposals and prioritisation will be prepared and presented to the Members for discussion at that time.

Tender Applicants

The Council considered the following Notice of Motion in the name of Cllr. Denis Landy:-

“That this Council ensures that all major contracts includes a payment clause to require successful tender applicants to pay all sub-contractors as part of the terms of the contract agreement between the Council and the main Contractor”.

The procurement of Capital Works Projects is managed by the Capital Works Management Framework which aims to ensure that there is an integrated methodology and a consistent approach to the planning, management and delivery of public capital works projects, with the objectives of greater cost certainty, better value for money and more efficient delivery. The Management Framework requires the use of Conditions and Forms of Contract prepared by the Department of Finance.

The Conditions of the Department of Finance Contract Forms are specific in relation to payments to Contractors by the Employer: amount to be paid, timing of payments and deductions from payments are covered in the Conditions. However, the Conditions of Contract do not have any Clauses ensuring that the Main Contractor pays the Sub-Contractor. This would be an agreement outside of the Main Contract which the Sub-Contractor would have to pursue directly with the Main Contractor. There is no discretion available to the Employer to insert a Clauses into the Department of Finance Contract Forms making it a requirement that the Contractor pays the Sub-Contractor.”

At the request of Cllr. Landy it was agreed to contact him for further clarity on the issue.

**Any other
Business**

Ballingarrane House

The Manager stated that he wished to bring the members up to date in regard to Ballingarrane Estate. The members would recall that a proposal had been agreed and put to the Tipperary Institute last year to help advance the relocation to Ballingarrane. The matter had been discussed with the Minister for Education and Department Officials and was subsequently left in abeyance pending a decision on the amalgamation between Limerick Institute of Technology and Tipperary Institute. As the members are further aware this amalgamation was now proceeding and was expected to be fully completed by next September.

The Manager stated that he had further discussions with both Institutions with a view to advancing the project. A number of positive meetings had taken place, arising from which a working group consisting of Institute and County Council personnel had been established to complete a tender submission which could then be presented to the Minister for Education for approval.

In regard to Ballingarrane House, it was clear that the Institute would not be taking occupation of this house for at least some considerable period. Indeed given the change of circumstances it was preferable that they should accord priority to the establishment of actual educational buildings in Ballingarrane and they welcome their commitment in this regard.

In relation to the house it was most desirable that it be put to some beneficial use.

An opportunity had now presented itself in that the lease of the offices of South Tipperary County Enterprise Board and the South East Regional Authority expired shortly and we were therefore commencing refurbishment works on Ballingarrane House to enable both these organisations to relocate to Ballingarrane. It is an excellent use of the property, entirely compatible with the overall plans for the area and has been particularly welcomed by the IDA, Enterprise Ireland, Limerick Institute of Technology and Tipperary Institute.

Correspondence

- (a) Reply dated 16th September, 2010 from Office of the Minister for the Environment, Heritage and Local Government regarding Waste Permits.
- (b) Letter dated 17th September, 2010 from Mary Coughlan T.D., Tanaiste and Minister for Education and Skills, regarding school transport for children with special needs.
- (c) Email dated 9th September, 2010 from Irish Council Against Blood Sports regarding "Rise" website
- (d) Email dated 27th October, 2010 from North Tipperary County Council regarding Joint Civic Reception for Tipperary Hurling Teams

Resolutions from other Local Authorities

Monaghan Town Council

"That this Council deplores the proposal by ESB to increase charges by almost 5% at a time when the wholesale cost of same has reduced by 2%".

Votes of Sympathy

- Helen Hennessey on the death of her brother Richard
- Matthew Condon on the death of his mother Mary
- Toss Hayes on the death of his mother Maisie

**Votes of
Congratulations**

- Gavin Cullen on the death of his mother Meg
- Sharon Heffernan and Emly Tidy Towns Committee on winning a Silver Medal at the Entente Florals Tidy Town Awards
- Ann McGrath on winning "Munster Carer of the Year Award".

The meeting then concluded.

Signed/_____. Dated/_____.
Cathaoirleach.

Signed/_____. Dated/_____.
Meetings Administrator.