

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in St. Mary's Hall, Killenaule On Monday 9th June, 2008.

- In the Chair** Cllr. John Fahey.
- Present** Cllrs. L. Ahearn, T. Ambrose, M. Anglim, J. Crosse, J. Crowe, J. Donovan, M. Fitzgerald, D. Foley, S. Healy, R. Kennedy, C. Kinahan, S. Lonergan, S. McCarthy, M. Maguire, S. Meagher, A. Moloney, S. Nyhan, J. O'Brien, E. O'Meara, D. Ryan, B. Shoer and T. Wood.
- Apologies** Cllrs. D. Bourke, P. Norris and R. Kennedy.
- In Attendance** Mr. E. O'Connor, Co. Manager, Mr. B. McEvoy, Director of Services, Ms. S. Carr, Director of Services, Ms. C. Curley, Director of Services, Mr. Sean Keating, Director of Services, Mr. Pat Slattery, Director of Services, Ms. E. Drennan, Head of Finance, Ms. H. Houlihan, S.O.
- Meetings Administrator** John O'Mahoney.
- Welcome** Canon Ryan, Parish Priest of Killenaule/Moyglass/Ballinure, on behalf of the parish welcomed members and officials to St. Mary's Hall. He outlined the history of the hall and thanked the Council for financial assistance under the Scheme of Capital Grants to carry out essential works to the fabric of the hall.
- Minutes** On the proposal of Cllr. T. Ambrose, seconded by Cllr. B. Shoer minutes of meeting held on 8th May, 2008 were agreed.
- Matters Arising** Housing Programme
Cllr. Healy referred to the cut-backs in allocations for Housing Adaption Grants, Mobility Aid Grants and Disabled Persons Grants and called for urgent action to be taken. Members referred to some confusion in relation to the operation of the Housing Aid for the Elderly Scheme. Mr. G. Walsh confirmed that a detailed report on housing allocations would be submitted to the July Meeting. The Housing Aid for the Elderly Scheme was due to be transferred to the Council but this transfer had been postponed and at present the scheme was being run jointly by the HSE and South Tipperary County Council.

Special Needs Schools

Members referred to the discussion regarding the needs of autistic children which had taken place at the meeting of the 8th May, 2008 and stressed that this discussion was in relation to the need for the availability of the ABA method of teaching and members acknowledged the excellent work being carried out at the various special needs schools in South Tipperary at present.

Planning Refusals

The Meetings Administrator advised that there were none.

Public Notice of Proposed Works

The Meetings Administrator advised that there were none.

Conferences/ Seminars

It was proposed by Cllr. D. Foley, seconded by Cllr. J. O'Brien and agreed that:-

“Cllrs. D. Landy and M. Fitzgerald be nominated to attend conference entitled “6th National Tourism Conference” Carlow Tourism be held in the Ramada Hotel & Suites, Killerig, Co. Carlow on 19th and 20th June”.

“That Cllrs. J. O'Brien, T. Ambrose, A. Moloney, R. Kennedy, S. Lonergan, L. Ahearn, J. Crosse, D. Landy and M. Anglim be nominated to attend conference entitled “Byrne Perry Summer School” to be held in the Christian Brothers School, Wexford Street, Gorey on 27th to 29th June”.

“That Cllrs. S. Lonergan, S. Nyhan and P. Norris be nominated to attend conference entitled “The Local Government Housing Services” to be held in Bellingham Castle Hotel, Castlebellingham, Co. Louth on 6th to 8th June, 2008”.

Section 183 Notices Ballylynch, James Coleman

It was proposed by Cllr. D. Landy,
Seconded by Cllr. S. Meagher,
And Resolved:-

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001 we hereby approve of the disposal of lands at Ballylynch, Carrick-on-Suir containing 1.56 acres or thereabouts to James Coleman, in accordance with the terms of the Notice under the above Section, as circulated on 23rd May, 2008”

Ballylynch, MPTJ (Waterford) Developments Ltd

It was proposed by Cllr. D. Landy,
Seconded by Cllr. S. Meagher,
And Resolved:-

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001 we hereby approve of the

disposal of lands at Ballylynch, Carrick-on-Suir containing 1.19 acres or thereabouts to MPTJ (Waterford) Developments Ltd in accordance with the terms of the Notice under the above Section, as circulated on 23rd May, 2008”

**Cashel Road,
Fethard**

It was proposed by Cllr. J. O’Brien,
Seconded by Cllr. E. O’Meara,
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 Monroe, Fethard, Co. Tipperary containing approximately 0.0371 or thereabouts to Mr. John Paul Looby and Ms. Aubrey Sheehan Looby of Monroe, Fethard, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on the 23rd May, 2008.”

**Extinguishment of
Public Right of
Way at Level
Crossing XC144 at
Kyle and XL at
Miltown, Co.
Tipperary**

It was proposed by Cllr M. Fitzgerald and seconded by Cllr T. Ambrose that this matter be adjourned to the July Meeting.

Finance

**(a) Auditors Report
2006**

It was proposed by Cllr. T. Ambrose,
Seconded by Cllr. E. O’Meara,
And Resolved:-

“That the Audit Report of the year ended 31st December, 2006 be accepted”.

Ms. E. Drennan, Head of Finance referred to the report of the Local Government Auditor for 2006 and stated that the Auditor had reported on the accounts and certified them to be a true and accurate account of the financial position of the Council.

**(b) Annual
Financial
Statement 2007**

The Total Revenue Expenditure for 2007 was €88,949,601 with the Total Revenue Income for 2007 €89,086,680 which means there was an Overall Surplus for 2007 of €137,079.

Ms. E. Drennan, Head of Finance, referred to the Annual Financial Statement and the County Manager’s Report thereon. The Total Revenue Expenditure for 2007 was €88,949,601 with the total revenue income for 2007 €89,086,680

It was proposed by Cllr. T. Ambrose, seconded by Cllr. M. Fitzgerald and agreed that the Annual Financial Statement be adopted.

(c) Approval to over-expenditure Annual Financial Statement 2007

It was proposed by Cllr. T. Ambrose,
Seconded by Cllr. E. O'Meara,
And Resolved:-

“That in accordance with Section 104 of the Local Government Act, 2001, additional excess expenditure in respect of the financial year ended 31st December 2007 be and is hereby approved as follows:-

Programme	€Amount
2.1	2,265,900
3.1	277,300
3.2	1,238,900
3.8	37,900
4.1	321,000
4.2	200
4.5	175,200
4.8	18,300
5.8	15,600
6.2	1,500
6.4	378,100
6.8	12,100
7.2	231,500
7.8	9,100
8.2	30,000
8.3	6,500
8.8	152,100
8.9	1,200

Fethard Public Realm Plan

The Cathaoirleach welcomed Mr. James Hennessy of the Paul Hogwarth Company, who made a presentation on the Public Realm Plan for the town of Fethard. The vision was to elevate the town to a tourist attraction of national significance and an economic and tourism strategy had been developed to achieve this. The strategy included such elements as redevelopment of certain sites, frontage improvements, branding of the town, development of equine related activities etc. A number of specific issues in relation to features such as the Town Wall Walk, Walled Town Gateway, approach roads, streetscapes and other town centre significant buildings were also identified.

Members thanked Mr. Hennessy for the presentation and welcomed the proposals to develop and promote Fethard as a tourist destination.

Policy for the taking in charge of residential developments

A draft policy document outlining South Tipperary County Council's policy and procedure in relation to taking in charge of private residential developments was circulated. The policy had been considered and endorsed by the Strategic Policy Committee.

It was proposed by Cllr. D. Foley,
Seconded by Cllr. J. Donovan,
And resolved:-

“That in accordance with Section 180 of the Planning & Development Act 2000 and Section 11 of the Roads Act 1993 the Policy for the Taking in Charge of Residential Developments as presented at the Council meeting of 9th June, 2008 be and is hereby adopted”.

Draft Housing Strategy Review 2009-2015

The existing County Development Plan contains a Housing Strategy, which was first adopted on 1st October 2001. The Housing Strategy must now be reviewed to coincide with the review of the County Development Plan to cover the period 2009 – 2015. South Tipperary County Council had commissioned the review of the County Housing Strategy 2005 on behalf of the County Council, Clonmel Borough Council and Tipperary, Cashel and Carrick on Suir Town Councils. A draft report on the housing strategy element of the South Tipperary County Development Plan Review had been circulated to the members and this draft had been endorsed by the Strategic Policy Committee. The adoption of the draft report was proposed by Cllr T. Wood and seconded by Cllr D. Landy.

Mr. G. Walsh responded to queries from members as follows:-

Affordable Housing: To date 110 houses had been sold under this scheme and integration had been successful.

Transient Travellers: This issue required examination on a regional level.

Rental Accommodation Scheme: This scheme was important in meeting the needs of applicants not able to provide their own accommodation but there was a shortage of 1 and 2 bedroomed units available in South Tipperary.

N24 Prioritisation Study

A report on the N24 Prioritisation Study, commissioned by the South East Regional Authority, had been circulated to the members for consideration. The County Manager stressed the need to progress the upgrading of the N24 and the study had established the economic, social and environmental benefits which would arise from the proposed upgrade. He thanked the members of SERA for obtaining the support of the South East and Mid West Regional Authorities. The study had been

adopted by SERA and they had scheduled a meeting with the NRA to progress the matter.

Mr. B. McEvoy welcomed the study and spoke of the importance of the construction of the Tipperary By-Pass (Pallasgreen to Bansha/Cahir) Carrick-on-Suir and Mooncoin Bypass and also the scheme from Clonmel to Cahir.

Members urged that every possible action be taken to ensure that the Government commit resources to improve and complete the N24 route and made various suggestions in this regard. Following discussion it was agreed that the Manager would keep members informed of progress by SERA and a briefing session for Oireachtas Members for South Tipperary would be arranged.

**Manager's Orders
for the Month of
May**

County Manager's Orders for the month of May were noted.

Notices of Motion

Organ Donors

At the request of Councillor Kennedy who was unable to attend the meeting, the following motion was adjourned for consideration at the July Meeting:-

"That this Council request the Minister for Health to introduce a regulation that all persons are considered organ donors unless they opt out".

**Road Resurfacing
from Rathronan
Cross through
Clashaniska to the
junction with the
Cashel Road**

The Council considered the following notice of motion in the name of Cllr. Seamus Healy:-

"That the road from Rathronan Cross through Clashaniska to the junction with the Cashel Road be completely re-surfaced as it is in an atrocious condition".

This Notice of Motion referred to the work being carried out on the laying of a new watermain from Rathronan to Clashaniska as part of Clonmel Rural Water Supply Scheme.

The reply stated that surface restoration was of a temporary nature and would be maintained by the County Council. Permanent reinstatement works would be carried out within the next two months.

**Medical Card
Limits**

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

"That this Council calls on the Minister for Health and

Children to immediately update and increase the Medical Card limits which are ridiculously low and out dated”.

Members supported the motion.

Extension of Footpath at Abbeyview, Cloneen Rd, Fethard

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

“That the footpath be extended from Abbeyview, Cloneen Road, Fethard to meet existing footpath and that lights are erected in the interest of pedestrian safety”.

There were currently no plans in the Fethard Area Roadworks Programme for 2008 to construct a footpath at this location or provide public lighting. The position could be reviewed and considered for the 2009 Roadworks Programme.

Payment of Compensation to Cahir Farmers from the NRA

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

“That this Council write to the National Roads Authority as a matter of urgency in respect of the non payment of compensation to local Cahir farmers. Furthermore, that this Council deploras the actions of the NRA for not making compensation monies available in their 2008 budget”.

The reply stated that the NRA allocation for 2008 for the Cashel to Mitchelstown Road Improvement Scheme was €60 million including for land acquisition costs.

South Tipperary County Council had discussed the overall allocation with the NRA in view of the estimated numbers of land acquisition agreements likely to be reached and it was anticipated that further funding for the scheme would be made available as has happened in previous years.

It was noted that South Tipperary County Council had made very good progress in reaching agreements with landowners since the road scheme commenced in early 2006, a total of 101 landowners out of a total of 203 had been compensated. Agreement had been reached with a further 34 landowners and negotiations were at an advanced stage with the remaining 68 landowners.

Correspondence

(a) Thank you letter dated 22nd May, 2008, from An Taoiseach, Brian Cowen, T.D.

**Resolutions from
other local
authorities**

Limerick County Council

“That, Limerick County Council oppose any attempt by the Minister for the Environment, Heritage and Local Government to restrict, impede, or prevent housing developments in towns, villages and settlements that do not have Local Area Plans and further, that the Council will seek the support of other local authorities and Oireachtas Members in Co. Limerick to ensure that this is not allowed to happen.”

“That Limerick County Council calls on the Minister for Agriculture and Food and the Government to strongly oppose the proposals of EU Trade Commissioner, Peter Mandelson, to reform the Common Agricultural Policy and the Council also calls on the Minister for Foreign Affairs, by the instruction of his cabinet under the Taoiseach, to use the Government’s veto, if necessary”.

New Ross Town Council

“That this council calls on the Minister for the Environment to allow local authorities to decide housing policy in their respective areas and that we further call on the Minister to ensure that the acquisition of land banks for social housing continues as central plank of housing policy at a local level”.
Limerick County Council”

Macroom Town Council

“That Macroom Town Council call on the Minister for the Environment, Heritage and Local Government to change the law regarding the payment of refuse charges in private rented accommodation. At present, this is the duty of the tenants and not the landlord. In a lot of cases the tenants do not have long-term contracts, so why should they pay annual refuse charges. If a refuse service is provided to tenants, they will use it. A small increase in tenants rent would off-set the cost to landlords. Fly tipping has become a major national problem and this Council believes that a change in this law would greatly reduce this problem”.

“That we never forget the appalling tragedy of the Famine, the people who died, those who had to leave our shores in search of a new life and to escape the terrible tragedy of Ireland at that time. In our dramatically changing Ireland it is very important that we remember this history of our country, therefore Macroom Town Council proposes that on an annual basis perhaps one of the Public Holiday Mondays be set aside as Famine Remembrance Day”

**Votes of
Congratulatory**

Votes of Congratulatory were passed to the following:-

- The Tipperary Hurling Team on their victory over Cork in the Munster Senior Hurling Semi Final.
- Sr. Patricia Wall on the occasion of her Golden Jubilee.
- Carrick United Soccer Team on winning the FAI Junior Cup.
- Alan Quinlan and Denis Leamy on their performance in the Heineken Cup Final.

Votes of Sympathy Votes of Sympathy were passed to the following:-

- Cllr. Pat Norris on the death of his sister-in-law Margaret Norris
- Breda Hall, Kyle, Drangan on the death of her husband Michael Hall.

Conclusion The meeting then concluded.

Signed/_____. Dated/_____.

Signed/_____. Dated/_____.