

# South Tipperary County Council

## Minutes of South Tipperary County Council Meeting held in The Council Chamber, County Hall, Clonmel On Thursday 8<sup>th</sup> May, 2008.

<b>In the Chair</b>	Cllr. John Fahey.
<b>Present</b>	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, S. Meagher, A. Moloney, P. Norris, S. Nyhan, J. O'Brien, E. O'Meara, D. Ryan, B. Shoer and T. Wood.
<b>Apologies</b>	Cllrs. D. Bourke, D. Landy, M. Maguire.
<b>Minutes</b>	On the proposal of Cllr. T. Ambrose and seconded by Cllr. D. Foley the minutes of Council meeting held on 7 <sup>th</sup> April, 2008 were agreed.
<b>Matters Arising</b>	In response to an enquiry by Cllr Ryan, it was agreed that Mr. S. Keating would revert to him regarding street drains in Ashlawn, Clerihan.
<b>Planning Refusals</b>	The Meetings Administrator Advised that there were none.
<b>Public Notice of Proposed Works</b>	The Meetings Administrator Advised that there were none.
<b>Conferences/ Seminars</b>	<p>On the proposal of Cllr. R. Kennedy and seconded by Cllr. T. Ambrose it was agreed that:-</p> <p>“Cllr. S. McCarthy be nominated to attend conference entitled “Meeting the Challenge of Climate Change” in the Gresham Hotel, Dublin on 1<sup>st</sup> May, 2008”.</p> <p>“Cllrs. M. Anglim, M. Fitzgerald, S. Nyhan and E. O'Meara be nominated to attend conference entitled “The Role of Local Government in Community &amp; Rural Development” to be held in the Listowel Arms Hotel on 8<sup>th</sup> and 9<sup>th</sup> May, 2008.”</p> <p>“Cllr. S. Meagher be nominated to attend conference entitled “Annual Conference 2008” Irish Rural link to be held on 15<sup>th</sup> and 16<sup>th</sup> May, 2008 in the Charleville Park Hotel”.</p> <p>“Cllr. T. Wood be nominated to attend conference entitled Southern &amp; Eastern Regional Assembly “9<sup>th</sup> Annual Regional Assembly Conference” to be held in the Marriott Druids Glen Hotel, Newtownmountkennedy, Co. Wicklow on 16<sup>th</sup> May,</p>

2008”.

“Cllrs. S. Lonergan, J. Crowe and P. Norris be nominated to attend conference entitled “Local Government & The Environment” to be held in the Ballyvaughan Coast Hotel, Ballyvaughan, Co. Clare on 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> May, 2008”.

## **Section 183 Notices**

### **Disposal of 0.565 acres approx at Ballyhurst, Tipperary**

It was proposed by Cllr. M. Fitzgerald,  
Seconded by Cllr. D. Ryan,  
And resolved:-

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, we hereby approve of the disposal of 0.565 acres approximately at Ballyhurst, Tipperary for the sum of €15,000 to Kevin and Veronica Halpin, Ballyhurst, Tipperary in accordance with the terms of the notice under the above Section as circulated on 18<sup>th</sup> April, 2008”.

### **Disposal of 0.011 acres at 1 Fr. Sheehy Tce, Clogheen, to Mr. Liam Ramsey**

It was proposed by Cllr. S. Lonergan,  
Seconded by Cllr. A. Moloney,  
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 the side of No.1 Fr. Sheehy Tce., Clogheen, Co. Tipperary containing approximately 0.011 acres to Mr. Liam Ramsey in accordance with the terms of the Notice under the above Section, as circulated on the 28<sup>th</sup> April, 2008”.

### **Finance Approval to Overdraft Accommodation in the amount of €250,000 for the period to 31/12/08**

It was proposed by Cllr. S. Healy,  
Seconded by Cllr. D. Foley,  
And resolved:-

“that Overdraft Accommodation in the sum of €250,000 be approved for the period ending 31/12/2008”.

### **Extinguishment of Public Right of Way at level crossing XC144 at Kyle and XL67 at Miltown, Co. Tipperary**

It was proposed by Cllr M. Fitzgerald, seconded by Cllr T. Ambrose and agreed that this matter would be deferred to the June Meeting.

**Consider proposal to declare the road at Highfield, Mitchelstown Road, Cahir as a public road**

It was proposed by Cllr. S. Healy,  
Seconded by Cllr. D. Ryan,  
And Resolved:

“That we the Members of South Tipperary County Council being satisfied that the road at Highfield, Mitchelstown Road, Cahir as more particularly described in the schedule set out below is of general public utility and having considered the financial implications for the Council of the proposal declare the road to be a public road in accordance with Section 11 of the Roads Act 1993 and that in accordance with Section 180 of the Planning & Development Act 2000 the Council take in charge all open spaces, car parks, sewers, watermains and drains within the attendant grounds of the development”.

**Service Indicators 2007**

A report on Service Indicators for 2007 had been circulated to the members and was noted.

**Environmental Initiatives**

A report had been circulated to the members outlining various environmental initiatives including:-

Spring Clean 2008;  
Litter Blackspot Competition;  
Gum Litter;  
Environmental Campaign 2008 – Additional Awards;  
Enhancement of Approach Roads;  
Action against Litter Blackspots;  
Audit of Uncollected Waste;  
Local Authority Refuse Collection Service.

In relation to the clean-up of rural roadsides, FAS had assisted in the clean-up operation and the Cathaoirleach invited Mr. Liam O’Brien of FAS to address the meeting in relation to their role. Mr. O’Brien informed the meeting that 200 FAS workers had been assigned to the task working 14 hours per week for 4 weeks. These workers had been made available with the kind assistance of 35 Community Employment sponsors. The success of this initiative would be reviewed with council officials.

Members thanked FAS for their assistance in the litter campaign and asked that their gratitude be conveyed to the sponsors, supervisors and workers. They encouraged the continuation of the initiative. They also stressed the benefits arising for the county from this positive initiative and highlighted the need for public co-operation, ongoing monitoring, enforcement and education initiatives.

The County Manager thanked Fas for the willingness to

participate in the initiative. He thanked the members for their support of environmental projects, the staff both indoor and outdoor of the environment section and the groups and individuals who take responsibility for their environment. He referred to the need to focus on changing peoples culture in relation to litter. The council would adopt a more aggressive approach to litter and promote zero tolerance. An attitude needed to be created that people will not accept litter.

Mr. S. Keating, D.O.S. joined in thanking FAS and referred to the spirit of co-operation in the joint clean up operation.

**Implementation of Collection and Recovery of Biodegradable Waste Presentation by Environment Section**

Mr. Liam Ahearn, Graduate Engineer made a presentation to the members on the implementation of collection and recovery of biodegradable waste. The collection service for this waste would commence in early 2009 which was in accordance with the EU Landfill Directive 99/31/EC and a requirement of the Joint Waste Management Plan for the South East Region. A brown wheeled bin would be used to collect this waste with a fortnightly collection.

Members welcomed the introduction of this collection and queries raised were responded to.

**Deputation from South Tipperary Autism Group**

The Cathaoirleach welcomed a deputation from South Tipperary Autism Group and invited Ms. Mary O'Connor to address the meeting:-

Ms. O'Connor informed the meeting that South Tipperary Autism Group was a voluntary parent led group. She stated that autism was a complex lifelong development disability and children with autism could be helped by various programmes that had been developed such as P.E.C.S., Dietary intervention, TEACH, ABA and sensory integration. Applied Behaviour Analysis (ABA) was a teaching method that many psychologists were recommending to parents as the best prospect for children to achieve their potential in education, life skills and social development. The group were seeking the support of the members to address the needs in South Tipperary and in particular the need for ABA within the existing schools in Cashel, Ardfinnan and Clonmel and to expand the pre-school services. They also asked the assistance of the members in seeking the re-opening of available space in Lus na Greine.

Ms O'Connor thanked the Cathaoirleach and Members for receiving the deputation.

Members assured the deputation of their support and thanked them for their informative presentation. The deputation then withdrew from the Chamber.

**Presentation from South Tipperary I.F.A.**

The Cathaoirleach welcomed members from the South Tipperary IFA County Executive to the meeting and invited Mr. T.J. Maher, County Chairman to address the meeting.

Mr. Maher informed the meeting that they were seeking the support of the members to the following motion:-

*“That the position of EU Trade Commissioner Peter Mandelson in the WTO negotiations represents a grave and unacceptable threat to Irish farming, the food industry and employment in the Irish economy; we call on the Minister for Agriculture, the Minister for Foreign Affairs and the Taoiseach to assert Ireland’s vital national interest at the highest level in Europe by rejecting Mandelson’s concessions.”*

He outlined the impact that Mandelson’s proposed cuts would have on Ireland and on County Tipperary where the IFA estimated a €196m cut in value of farm output.

The motion received the support of the members and it was proposed by Cllr Foley, seconded by Cllr Kennedy and agreed that the motion be adopted by the Council and forwarded to the Minister for Agriculture.

**Lunch  
Adjournment**

**Resumption**

**Fix Date for Special Cashel Area Meeting**

It was agreed that a Special Cashel Area Meeting be held 6<sup>th</sup> June, 2008 at 12.00 Noon.

**Fix Date for June Monthly Meeting**

It was agreed that the June Monthly meeting be held on 9<sup>th</sup> June in St. Mary’s Hall, Killenaule preceded by a visit to Derrynaflan Island at 10.00 a.m.

**Fix Date for Annual General Meeting**

It was agreed that the Annual General meeting be held on 30<sup>th</sup> June, preceded by the Annual Mass at 11.00 am.

**County Manager’s Orders for April**

County Manager’s for the month of April were agreed.

**Notices of Motion**

**ABA Method of Teaching for Autistic Children**

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

*“That South Tipperary Co. Council calls on Ms. Mary Hanafin T.D., Minister for Education and Science to ensure that the ABA method of teaching be available to all autistic children identified by Psychologists/parents attending Scoil Aonghusa, Scoil Cormac, Cashel, the new Autism Unit in Ardfinnan and the pre-school Lus-na-Gráinne, Clonmel.”*

Cllr. Healy requested that it be brought to the attention of the Minister that there was no psychology or speech language service available in the Autism Unit in Ardfinnan.

It was agreed that a letter would be sent to Mr. Batt O’Keeffe, the new Minister for Education and Science and the lack of services in Ardfinnan would be brought to his attention.

**Junctions at Kilemly, Cahir and junction into Burncourt from the main road**

The Council considered the following Notice of Motion in the name of Cllr. A. Moloney:-

*“That South Tipperary County Council provide filter lanes and acceleration lanes and provide extra turning space at the junctions at Kilemly, Cahir (from by-pass onto Old Dublin Road) and also at the junction into Burncourt from the main road. The design for further similar junctions should be assessed immediately before lives are lost”.*

The reply stated that the design and construction of both these junctions was in accordance with the NRA’s Design Manual for Roads and Bridges. In addition the junctions had been inspected and audited by an independent Road Safety Auditor and were deemed to be in compliance with the design standards. Accordingly there were no proposals to install any acceleration or de-acceleration lanes. Members were advised that the motorway was due to open in early Autumn 2008 and there would be less traffic manoeuvres at these junctions.

Cllr. Moloney expressed his dis-satisfaction with the reply and outlined the difficulties experienced by large vehicles manoeuvring at this junction. Mr. McEvoy confirmed that this junction was in compliance with design standards and also that traffic would be reduced at this junction with the opening of the new motorway.

**Housing Needs of the County**

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

*“To ask the Director of Services, Housing, to outline the*

*Councils housing building programme and to address the adequacy of the programme and the adequacy of Government funding to deal with the housing needs of the County.”*

The reply stated that each year as part of the Housing Action Plan process the Department meets with each housing authority to discuss their housing programmes for the coming year. This year, following communication with the Director of Service in a letter of 30 January, the Department had also provided an indicative budget for the period 2008-2010 as a basis for structuring social housing programmes (local authority Social Housing Investment Programme (SHIP) and voluntary/cooperative housing programme funded under CLSS).

The indicative budget for the three years 2008-2010 was between €60,000,000 and €75,000,000, which also included the town and borough councils work programmes. The above indicative budgets were based on the net need figures from the 2005 assessment, with a particular focus on the number of households requiring accommodation on housing (rather than simply income) grounds and allowing for differences in construction costs across the country. This three-year indicative budget would be adjusted next year to take into account changes recorded in the 2008 Housing Needs Assessment.

Following the meetings with each authority, the Department were to write to each housing authority to set out the allocation for 2008. Official notification from the Department was awaited in this regard, however once the allocation was received it was intended to submit a report to the June Council meeting setting out the Council’s work programme for 2008.

**Knockeevan Tce,  
Clerihan**

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

*“That the back access passage at Knockeevan Terrace, Clerihan be resurfaced”*

The rear passage between the new houses and Knockeevan Terrace, Clerihan would be surface dressed following the installation of drainage as part of the contract with the builder for Ballyclerihan Crescent.

**Erection of Light in  
Car park/ play area  
Hillview Burncourt**

The following Notice of Motion in the name of Cllr. S. Lonergan was not moved in his absence:-

*“That this Council as a matter of urgency erect a light in the*

*carpark/play area at the rear of Nos. 1,2,3,4 Hillview, Burncourt. The Gardai have been notified, following a spate of break ins”.*

**Water Situation in the Springfield Area, Tipperary Town**

It was agreed that this motion would be considered in conjunction with Notice of Motion No. 33 in the name of Cllr J. Fahey

**Cllr. J. Crosse,**

*“That a report be supplied on the water situation in the Springfield area of Tipperary Town - there are continuous problems on this supply with water pressure and interruption to the supply. If required a letter should be sent to the Department of the Environment seeking funding for the necessary upgrade works on this supply.”*

**No 33. Cllr. John Fahey,**

*“That the Council would write to the Minister for the Environment seeking early approval and release of funds for our water service investment programme in order to meet the critical shortage of infrastructure in South Tipperary”.*

The reply stated that Springfield was an elevated area at the end of the line served from the Cappawhite reservoir as part of the Dundrum Regional Supply. Supply difficulties to a number of customers had been experienced here on an ongoing basis, due to the elevated location and the deficiencies in the network distribution.

Recently works had been carried out to try to improve the situation. These works involved replacement of valves and installation of new valves by the Water Conservation Team to help to control the supply area. Level control measures recently installed at Cappawhite Reservoir should help to monitor the situation efficiently, and this was currently under review.

Maintenance works at the pumps at Ironmills were also planned to try to improve the supply of water to the area.

The Preliminary Report (PR) for the Dundrum RWSS was currently being finalised and the supply situation together with network analysis to the Springfield area would form part of the recommendation in the preliminary report.

Members spoke in support of both motions. It was suggested that a request for a deputation to the Minister should be submitted regarding the investment programme for South Tipperary and concerns were also expressed regarding the lengthy procedures at present for departmental approval to various stages of a contract. Following discussion it was agreed to write to the Minister initially.

Queries raised by members in relation to various areas were responded to as follows:-

- Ballydonnel/Lismolin/Fethard Area Water Supply - an application for funding for a pilot scheme for the rehabilitation of water mains had been submitted to the Department. Investigation of a borehole supply was to be carried out.
- Dundrum Water Supply – actions were being taken on short-term problems and a long term solution was being examined
- Golden Wastewater Treatment Plant-land issues were being addressed.
- Cappawhite Wastewater Treatment Plant – A contract was to be signed in the near future.
- Cloneen Wastewater Treatment Plant- tender for archaeology had been accepted

**Notices of Motion  
Notices of Motion  
from Cllr. D. Ryan**

The following Notices of Motion were not moved in the absence of Cllr. D. Ryan:-

*"That this Council writes to Mr. Brian Lenihan, TD, Minister for Justice, Equality & Law Reform, requesting an update on the progression of a new Garda Station for Clonmel, and details of any proposed locations."*

*"That a footpath be installed along Marlfield Lake in the interest of public safety."*

*"That the road in the centre of Clerihan Village be resurfaced as a matter of urgency, at present it is in very bad condition and furthermore, that traffic calming measures be installed as soon as possible."*

**Removal of Bends  
on Road at  
Loughtally**

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

*"That the Council remove both bends at Loughtally one opposite the residence of Mr Noel Kennedy and the other below the residences of Mrs Clair Lonergan, Reasons: There have been a number of serious accidents on those bends in recent times and there is an urgent need to improve the road width and sight distance for the safety of all road users."*

There were currently no plans to remove these bends in the 2008 Clonmel Area Roads Programme. The removal of these bends would encourage road users to increase their speed in a built up area not slow down. As part of this years programme, this road was to be resurfaced, and it was proposed to put "Slow" road markings in the location of the houses to

encourage road users to slow down.

Cllr. Shoer expressed his dissatisfaction with the reply. Following discussion it was agreed that this matter would be further discussed at the next area roads meeting.

**Notices of Motion  
Cllr. J. O'Brien**

The following notice of motion was not moved in the absence of Cllr. J. O'Brien:-

*“That the open drains be piped and closed in at the Glen of Ahenny to stop the illegal dumping of rubbish”.*

*“I call on this Council to provide speed limit signs or a suitable form of signage to slow down traffic at Ballyrichard, Drangan”*

**Notices of Motion  
From Cllr. Tom  
Wood.**

The following notices of motion was not moved in the absence of Cllr. T. Wood:-

*“That in view of the challenges relating to climate change, flood mapping be included in our development plan”.*

*“That the Manager outline the composition of the Planning office relative to the inclusion of Town Planners and personnel with architectural qualifications”.*

*“That in view of the decision from An Bord Pleanala relating to the Wind Energy Policy at Dualla, the Manager outline its implications for excluding certain townland in the Hollyford area as requested last year”*

**Correspondence**

Reply from Office of the Minister for Education and Science regarding Waterford Institute of Technology.

**Resolutions from  
Other Local  
Authorities**

North Tipperary County Council

*“That the position of EU Trade Commissioner Peter Mandelson in the WTO negotiations represents a grave and unacceptable threat to Irish farming, the food industry and employment in the Irish economy. We call on the Minister for Agriculture, the Minister for Foreign Affairs, and the Taoiseach to assert Ireland’s vital national interest at the highest level in Europe by rejecting Mandelson’s concessions and to use their power of Veto should it be necessary”*

Passage West Town Council

*“A large proportion of motorcycle accidents resulting in serious injury and death are directly related to road conditions and in particular to road repairs. In light of this I would call on this town council and all other councils throughout Ireland to insist that road works be finished to a high standard for all road users, and that in particular the practice of “bedding in”*

*new surfaces be stopped, and adequate warning of roadworks be monitored on a daily basis”.*

Clonmel Borough Council

*“That Clonmel Borough Council ask the Minister for the Environment to overhaul the current driving test, as the current failure rate of 50% is not acceptable and that Cahir Testing Centre or another suitable venue be opened in order to reduce the current waiting time to sit a test which is 6 months or more at present and that this Motion be circulated to all Local Authorities”.*

**Good Wishes**

A vote of good wishes was passed to Cllr. Denis Bourke for a speedy recovery.

**Votes of  
Congratulations**

Votes of Congratulations were passed to the following:-

- The Tipperary Hurling Team on winning the Alliance National League Final.
- Cllr. Joe Donovan on the birth of his first grandchild.
- Mr. Brian Cowen Taoiseach on his appointment as Taoiseach.
- Carrick United on winning the FAI Junior Cup.
- Ms. Rachel Hannigan, Poulmucka, Clonmel on winning the Geneva Acro Cup in Gymnastics.

**Votes of Sympathy**

Votes of Sympathy were passed to the following:-

- Ms. Martina McHale, Kilsheelan on the death of her father Mr. Michael O’Keeffe.
- Cllr. Michael Browne, Cashel on the death of his wife Catherine.
- Mr. Michael Moloney, Cahir Area Office on the death of his mother Mrs. Mary Moloney.
- Mrs. Marie Moloney, Knocknaquil, Poulmucka on the death of her father Maurice Lyons.
- The family of Mr. Paddy Hilary former President of Ireland.

**Conclusion**

The meeting then concluded.

**Signed/\_\_\_\_\_ . Dated/\_\_\_\_\_ .  
Cathaoirleach.**

**Signed/\_\_\_\_\_ . Dated/\_\_\_\_\_ .  
Meetings Administrator.**

