

**MINUTES OF PROCEEDINGS OF JUNE MONTHLY MEETING  
OF NORTH TIPPERARY COUNTY COUNCIL HELD IN THE  
COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK ROAD,  
NENAGH ON MONDAY 20<sup>TH</sup> JUNE 2011.**

- Present** Cllr. John Kennedy, Mayor - Presided
- Cllrs. Dr. Phyll Bugler; John Carroll; Jim Casey; Billy Clancy; Pauline Coonan; Ger Darcy; Seamus Hanafin; John Hogan; Micheál Lowry; Hughie McGrath; John 'Rocky' McGrath; Jonathan Meaney; Eddie Moran; Séamus Morris; Virginia O'Dowd; Michael O'Meara; Denis Ryan; Jim Ryan; Mattie Ryan; Michael Smith
- Also Present** Joe MacGrath, County Manager; Liam McCarthy, Head of Finance & Corporate Services; Marcus O'Connor, Director of Services; Matt Shortt, Director of Services; Karl Cashen, Director of Services; Brian Beck, Senior Planner; Rosemary Joyce, Meetings Administrator/Senior Executive Officer; Sharon Kennedy, Senior Executive Officer; Nuala O'Connell, Senior Executive Planner; Brian Clancy, Administrative Officer; Ann Marie Devaney, Executive Planner; Marie Ryan, Executive Planner and Dan Downey, Staff Officer.
- Votes of Sympathy** Votes of Sympathy were passed to the following:-
- Claudine Mahu, Planning on the death of her father, Patrick.
  - The O' Riordan Family, Ballina on the death of Michael (Mossie) O' Riordan
  - The Gleeson Family, Curraghbawn, Newtown on the death of Thomas Hickey,
  - The Family of the late Josephine Fanning, Two Mile Borris
  - The O' Kennedy Family, Church Road, Nenagh on the death of Breda O' Kennedy
  - The O' Connor Family, Tyone on the death of Peter O' Connor
  - The Gleeson Family, Capparoo on the death of John Joe Gleeson
  - The Meagher Family, Monanore on the death of John Meagher
- Votes of Congratulations** Votes of Congratulations/Best Wishes were passed to the following: -
- James Scott, Development Officer on the performance of the North Tipperary Emerging Talent Squad in the Kennedy Cup.
  - Fr. Tom Seymour, Nenagh on celebrating his Golden Jubilee.
- Item 1.1**  
**Minutes of May**  
**Monthly Meeting** It was proposed by Cllr. J. Carroll, seconded by Cllr. J. Ryan and unanimously agreed that the minutes of the May 2011 Monthly Meeting held on 16<sup>th</sup> May 2011 be adopted.
- Item 1.2**  
**Minutes of**  
**Adjourned May**  
**Monthly Meeting** It was proposed by Cllr. S. Hanafin, seconded by Cllr. J. Hogan and unanimously agreed that the minutes of the Adjourned May 2011 Monthly Meeting held on 30<sup>th</sup> May 2011 be adopted.
- Item 1.3**  
**Action Plan** Members noted the Action Plan Progress Report, copy of which had been sent to them via e-mail.

**Item 2.1**  
**HFA Loan**

It was proposed by Cllr. D. Ryan, seconded by Cllr. J. Carroll and resolved that pursuant to the Local Government Act 2001 and subject to the sanction of the Minister of the Environment, Community and Local Government, this Council approves the raising of a loan not exceeding one million euro (€1,000,000) from the Housing Finance Agency (HFA) for any purpose authorised under the Housing Acts for the year January 2011 to December 2011 inclusive.

Cllr. P. Coonan referred to the threshold set under the Social Housing Assessment (Amendment) Regulations for social housing support and stated that something needed to be done urgently as this was set too low. Mr. K. Cashen advised that the members' concerns had been taken up with the Department.

**Item 2.2**  
**Draft AFS**

Members considered the Draft Annual Financial Statement for the year ended 31st December, 2010 and the Report thereon covering Income, Expenditure & Transfers To/From Reserves. Mr. L. McCarthy responded to queries raised.

On the proposal of Cllr. S. Hanafin, seconded by Cllr. P. Coonan members unanimously resolved that pursuant to the provisions of section 104 of the Local Government Act, 2001 this Council hereby authorises expenditure in excess of the expenditure figure adopted in the Council's Estimate of Expenses 2010 under the following headings :

**DIVISION A HOUSING AND BUILDING**

<b>Service A01</b>	<b>Maintenance &amp; Improvement of LA Housing</b>	
	Budget	€1,561,163
	Actual	€1,644,650

The adverse spending variance relates to additional expenditure in this area which is off set by increased income.

<b>Service A07</b>	<b>RAS Programme</b>	
	Budget	€1,903,707
	Actual	€1,893,321

The adverse spending on the RAS programme is offset by increased income from RAS.

<b>Service A09</b>	<b>Housing Grants</b>	
	Budget	€1,447,746
	Actual	€1,874,904

The adverse spending variance relates to additional grant allocations received together with matching council contribution.

**DIVISION B ROAD TRANSPORT AND SAFETY**

<b>Service B02</b>	<b>NS Road – Maintenance &amp; Improvement</b>	
	Budget	€852,049
	Actual	€1,025,316

The increased expenditure for Winter Maintenance, Surface Dressing and General Maintenance was offset by increased grant income.

<b>Service B03</b>	<b>Regional Roads – Maintenance &amp; Improvement</b>	
	Budget	€6,428,100
	Actual	€7,444,548

The increased expenditure for Surface Restoration/Reconstruction, General Maintenance was offset by increased grant income.

<b>Service B04</b>	<b>Local Roads – Maintenance &amp; Improvements</b>	
	Budget	€8,880,354
	Actual	€11,308,785

The increased expenditure for Surface Restoration/Reconstruction, General Maintenance was offset by increased grant income.

<b>Service B07</b>	<b>Road Safety Engineering Improvements</b>	
	Budget	€178,913
	Actual	€280,251

The increased expenditure for Low Cost Remedial Measures was offset by increased grant income.

#### **DIVISION C WATER SERVICES**

<b>Service C01</b>	<b>Water Supply</b>	
	Budget	€5,341,008
	Actual	€5,481,984

The increased expenditure arises from costs incurred by Water Services relating to the severe weather which were offset by grants received.

<b>Service C03</b>	<b>Collection of Water and Waste Water Charges</b>	
	Budget	€338,203
	Actual	€567,233

There was increased Provision for Doubtful Debts, due to a prudent approach being taken in relation to ongoing economic difficulties.

#### **DIVISION D DEVELOPMENT MANAGEMENT**

<b>Service D01</b>	<b>Forward Planning</b>	
	Budget	€399,768
	Actual	€408,152

Increased expenditure on regional planning guidelines is offset by increased income in the planning area.

<b>Service D03</b>	<b>Enforcement</b>	
	Budget	€657,985
	Actual	€821,625

Increased expenditure on enforcement relates to increased provision for Legal Fees.

<b>Service D06</b>	<b>Community &amp; Enterprise Function</b>	
	Budget	€649,651
	Actual	€657,265

There was increased expenditure relating to the EOCP program, which was offset by increased income.

<b>Service D09</b>	<b>Economic Development and Promotion</b>	
	Budget	€236,057
	Actual	€490,066

The increased expenditure in this area relates mainly to the provision of €250,000 for Town and Village enhancement.

<b>Service D11</b>	<b>Heritage and Conservation Service</b>	
	Budget	€18,590
	Actual	€74,254

Increased expenditure relates to reallocated salary costs from Service D02 Development Management to reflect the actual costings.

#### **DIVISION E ENVIRONMENTAL SERVICES**

<b>Service E01</b>	<b>Landfill Operation and Aftercare</b>	
	Budget	€2,667,909
	Actual	€2,747,126

The increased expenditure in this area relates mainly to increased landfill levy of €73,668 which is offset by landfill levy income.

<b>Service E09</b>		<b>Maintenance of Burial Grounds</b>
	Budget	€323,300
	Actual	€541,953

The adverse spending variance is due to amounts transferred from revenue account to meet capital expenditure on Burial Grounds.

<b>Service E11</b>		<b>Operation of Fire Service</b>
	Budget	€3,513,535
	Actual	€3,868,851

The adverse spending variance relates to increased Ex-Gratia payments to fire fighters and payment of arrears of pay.

**DIVISION F RECREATION & AMENITY**

<b>Service F04</b>		<b>Community Sport Recreational Development</b>
	Budget	€126,289
	Actual	€129,155

The adverse spending variance is due to increased overheads allocated to this area.

**DIVISION G AGRICULTURE, EDUCATION, HEALTH & WELFARE**

<b>Service G05</b>		<b>Educational Support Services</b>
	Budget	€5,445,689
	Actual	€6,789,088

The increased expenditure relates to both VEC Pensions and Higher Education Grants, and was fully recovered by way of increased income.

<b>Service G06</b>		<b>Agency &amp; Recoupable Services</b>
	Budget	€53,910
	Actual	€58,905

Expenses of Health Board Officers were ahead of Budget.

**DIVISION H MISCELLANEOUS SERVICES**

<b>Service H01</b>		<b>Profit &amp; Loss Machinery Account</b>
	Budget	€370,279
	Actual	€373,410

In conjunction with Stores, these Services broke even during the year, with increased Expenditure being matched by increased Income.

<b>Service H02</b>		<b>Profit &amp; Loss Stores Account</b>
	Budget	€17,687
	Actual	€144,491

In conjunction with the Machinery Yard, these Services broke even during the year, with increased Expenditure being matched by increased Income.

<b>Service H03</b>		<b>Administration of Rates</b>
	Budget	€734,875
	Actual	€901,746

The increased expenditure in this area relates to additional provisions for Irrecoverable Debts and provision for Doubtful Debts which reflects a prudent approach being taken in relation to ongoing economic difficulties.

<b>Service H10</b>	<b>Motor Taxation</b>	
	Budget	€941,608
	Actual	€896,755

The adverse spending in Motor Taxation relates to refunds which were met by increased income to meet the refunds.

<b>Service H11</b>	<b>Agency &amp; Recoupable Services</b>	
	Budget	€1,589,868
	Actual	€1,694,673

There was increased expenditure on Agency Works which was offset by increased income.

**Item 2.3**  
**Supplementary**  
**Loan for**  
**Voluntary**  
**Housing**

It was proposed by Cllr. J. Hogan, seconded by Cllr. S. Hanafin and resolved that pursuant to the Local Government Act 2001 and subject to the sanction of the Minister of Environment, Community and Local Government, North Tipperary County Council approves an increase in the amount of loan raised with the Housing Finance Agency (HFA) in the sum of €8,107 (ninety eight thousand one hundred and seven euro) for the purpose of a Capital loan and subsidy voluntary housing scheme at Tyone, Nenagh. (Previous resolution of 17<sup>th</sup> November, 2008 for loan in the sum of €6,151,174 refers, new loan amount proposed will bring total loan to €6,249,281).

Cllr. S. Morris referred to difficulties with frozen pipes in houses in the scheme and the need to establish responsibility for same.

**Item 3.1**  
**Planning &**  
**Development**  
**Quarterly Report**

Members noted the Planning & Development Quarterly Report, copy of which was circulated via email.

Cllr. M O' Meara raised an issue relating to the expiration of planning permissions after 5 years and the difficulties experienced by applicants seeking an extension due to the change in standards required in accordance with the 2009 EPA Guidelines. He also referred to the increased development levies which would apply in respect of a new application. He was supported by other members. He requested that this be considered at the next meeting of the Council with a view to finding a solution. Mr. B. Beck advised that the Council was legally obliged to implement the current guidelines. Following discussion it was agreed that a report on the position would be provided to members.

Members welcomed the drawdown of the Planning Bond in relation to the Mulcair Manor development. They also referred to the need to progress matters relating to Ardan, Borrisokane.

Cllr. P. Coonan expressed concern regarding the cost to developers of Development Levies. Mr. B. Beck replied that they are in accordance with the Scheme brought in by Members in 2010. Mr. J. MacGrath stated that all Development Levies are re-invested fully back into the County to support and attract new business and that the Scheme compares favourably with other counties. He advised that there were already incentives in the Scheme in relation to Town Centre development.

Cllr. P. Bugler called on the Council to work with traders to accommodate those seeking a change of use in respect of businesses which have closed down. She was supported by Cllr. V. O' Dowd.

**Item 3.2**  
**Planning &**  
**Development**  
**Register**

Members noted the Planning & Development Register for the month of May 2011, copy of which was circulated via email.

**Item 3.3**  
**Material**  
**Contravention of**  
**Templemore &**  
**Environs**  
**Development**  
**Plan 2006-2012**

Members considered the Planning Report on the Proposed Development by Clarkes Hardware Ltd., Planning Reference 10/51/0465 for the retention, redevelopment and extension of builder's providers to include new entrance, car parking, treatment plant and landscaping at Priory Demesne, Templemore.

Following discussion, it was proposed by Cllr. P. Coonan, seconded by Cllr. M. Smith and unanimously agreed and resolved that in accordance with Section 34(6) of the Planning and Development Act 2000 a Decision to Grant Permission shall be made, subject to the conditions set out by the Senior Executive Planner, Planning & Development Section in her report dated 16<sup>th</sup> June 2011, with additional condition as set out hereunder, to Clarke's Hardware Ltd. c/o Marlin Architects, Marlinstown Office Park, Marlinstown, Mullingar, Co. Westmeath for existing building providers, for the commercial building to NW boundary, access road to SW & rear storage yard, for redevelopment & site improvement works of existing including demolition of existing buildings to southern entrance area & current reception building adjacent existing dwelling; to be relocated and integrated as part-reconstruction and northern extension of buildings to west of site consisting of builders providers/hardware store & assoc. trade area, new service road to west of site, improvements to existing road access to entrance onto R501, car parking, truck turning areas, landscaping, new treatment plant & ancillary site works at Priory Demesne, Templemore, Co. Tipperary for Ref. no. in Planning Register 10/51/0465.

**Additional condition:** (9) Notwithstanding Schedule 2, Part 1, of the Planning and Development Regulations, 2001 (or any enactment thereof), the proposed development shall be restricted to use as a builder's providers, save without a prior grant of permission by the Planning Authority.

Reason: To clarify the terms of the permission and to regulate the use of the site.

***Full Schedule of Conditions – File Reference Number 10510465***

**SCHEDULE ONE**

Having regard to scale, nature and location of the proposed development and notwithstanding that the zoning matrix under the Templemore and Environs Development Plan, 2006 does not facilitate the proposed use/development on the site, it is considered that the proposed development would be in compliance with proper planning and sustainable development.

**SCHEDULE TWO**

- (1) Save where modified by the following conditions, the proposed development shall be carried out in accordance with the drawings and documentation submitted with the planning application on the 12<sup>th</sup> October, 2010 as amended by the drawings and documentation submitted on the 19<sup>th</sup> April, 2011.  
**Reason:** To clarify the terms of the permission.
- (2) The developer shall undertake an autotrack analysis of HGV turning movements at the proposed entrance. Based on this analysis the entrance shall be redesigned as necessary to ensure that HGVs can access and egress so as not to comprise traffic safety. Full details shall be submitted to the Planning Authority for written agreement prior to commencement of development on site.  
**Reason:** In the interest of traffic safety.

- (3) (a) The design, construction and maintenance of the effluent treatment system shall be in accordance with the details submitted on the 19<sup>th</sup> April, 2011 and shall comply with the recommendations of the Code of Practice, Wastewater Treatment and Disposal Systems Serving Single Houses, EPA, 2009.  
 (b) The construction and commissioning of the effluent treatment system shall be supervised by a Civil Engineer or appropriately qualified individual, who upon completion of works/commissioning shall submit compliance certificate(s) to the Planning Authority in regard to: Irish Agreement Board Certification of the system installed, EPA Manual Compliance, filter percolation rate(s) and effluent standard achieved. In addition the engineer/suitably qualified individual shall submit a signed maintenance contract for a minimum period of 3 years and 'as constructed' details/drawings of the completed works to Planning for approval, prior to occupation of the proposed development.  
**NOTE:** Submitted details shall include photographic records of critical aspects of the construction process.  
**Reason:** In the interests of public health.
- (4) All overground oil/fuel tanks shall be imperviously banded to a volume not less than 110% of the largest tank proposed to be contained within the bund. Prior to commencement of development full design details shall be submitted to the Planning Authority for written agreement.  
**Reason:** In the interest of public health.
- (5) (a) Prior to the commencement of development, the developer shall submit a Construction and Demolition Waste Management Plan with reference to Circular WPR 07/06 – Best Practice Guidelines for Conservation and Demolition Projects as published by the Department of Environment, Heritage and Local Government, 2006.  
 (b) Prior to the commencement of development, the developer shall submit a construction management plan for the written agreement of the Planning Authority. The plan shall provide details of intended construction practice for the development, including noise management measures, location of construction storage compounds, a scheme for dust control including wheel washing facilities and any other environmental mitigation measures identified to be necessary.  
**Reason:** In the interest of orderly development.
- (6) (a) Water supply and drainage arrangements shall be carried out and reported on in accordance with Section 1,3, and 4 of the 'Recommendation for Site Development Works in Housing Areas (1998) as published by the Department of the Environment, Heritage and Local Government.  
 (b) Water metres and water meter boundary boxes shall be installed with easy access and reading. The location and type of metre(s) shall be agreed with the Water Services Section prior to installation.  
 (c) The rainwater harvesting system shall be installed and shall be operational prior to the first occupation of the proposed development.  
**Reason:** In the interest of orderly development.
- (7) Apart from any inspection or survey that the planning authority might choose to carry out, the developer shall implement a system of '**self-certification**' on this development site. In this regard the developer shall engage the services of a professional consulting Engineer to certify that completed water services i.e. wastewater collection system, surface water drainage system and water supply infrastructure (and in particular all buried or covered works) are in compliance with the developer's planning permission.  
**Reason:** In the interest of the satisfactory completion of the development.
- (8) Subdivision/amalgamation of the premises shall not take place without a prior grant of permission.  
**Reason:** To control intensification of use on the site and in the interest of proper planning and sustainable development.

- (9) Notwithstanding Schedule 2, Part 1, of the Planning and Development Regulations, 2001 (or any enactment thereof), the proposed development shall be restricted to use as a builder's providers, save without a prior grant of permission by the Planning Authority.  
**Reason:** To clarify the terms of the permission and to regulate the use of the site.
- (10) (a) Prior to the commencement of development, full details of the materials, colours, textures of all the external finishes (to include a palate of samples) shall be submitted to the Planning Authority for written agreement.  
(b) The signage for the development shall be located as illustrated on the plans submitted on the 12<sup>th</sup> October, 2010. Final specification shall be submitted for the written agreement of the Planning Authority prior to the occupation of the development.  
(c) The landscaping scheme submitted on the 19<sup>th</sup> April, 2011 shall be implemented prior to the first occupation of the proposed development.  
**Reason:** In the interest of visual amenity.
- (11) Prior to the commencement of development, the developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the administrative area of North Tipperary County Council that is provided, or intended to be provided, by or on behalf of the Authority in accordance with the terms of the North Tipperary Development Contributions Scheme 2011 made under Section 48 of the Planning and Development Act, 2000. The amount of the development contribution under this condition is €109,073.44 which is calculated as follows:

<b>Commercial</b>	<b>(€per sq. m.)</b>	<b>Gross Floor Area (sq. m)</b>	<b>Total Cost</b>
(a) Public water supply	€12.10	1,219.67	€14,758.01
(b) Waste water drainage	€0.00	1,219.67	€0.00
(c) Road infrastructure	€14.30	1,219.67	€17,441.28
(d) Recreation Community Facilities	€1.77	1,219.67	€1,555.52
(e) Car parking €per space	€3,000.00	0	€0.00
<b>Total</b>	<b>€38.17</b>	<b>Total</b>	<b>€46,554.80</b>

### North Tipperary County Council

#### *Schedule of Conditions – File Reference Number 10510465*

<b>Commercial</b>	<b>(€per sq. m.)</b>	<b>Gross Floor Area (sq. m)</b>	<b>RETENTION</b>
(a) Public water supply	€12.10	328.60	€ 7,952.12
(b) Waste water drainage	€0.00	328.60	€ -
(c) Road infrastructure	€14.30	328.60	€ 9,397.96
(d) Recreation Community Facilities	€1.77	328.60	€ 7,735.24
(e) Car parking €per space	€3,000.00	0	€ -
<b>Total</b>	<b>€38.17</b>	<b>Total</b>	<b>€ 25,085.32</b>

<b>Commercial</b>	<b>(€per sq. m.)</b>	<b>Yard/Site Area SQM</b>	<b>Total Cost</b>
<b>(a) Public water supply</b>	€2.10	3,269.00	€1,866.47
<b>(b) Waste water drainage</b>	€0.00	3,269.00	€0.00
<b>(c) Road infrastructure</b>	€4.30	3,269.00	€14,024.01
<b>(d) Recreation Community Facilities</b>	€1.77		
		3,269.00	€1,542.84
<b>(e) Car parking €per space</b>	€3,000.00	0	€0.00
<b>Total</b>	<b>€38.17</b>	<b>Total</b>	<b>€37,433.32</b>

(ii) The Scheme provides for the adjustment of contributions payable in accordance with the Wholesale Price Index with effect from 1 January, 2011 and at six-monthly intervals thereafter. The amount payable (i.e. at the date of commencement of development) will, therefore, be adjusted as appropriate.

(iii) Where the contribution remains unpaid after the date of commencement of the development, any outstanding amounts due shall be paid together with such interest that may have accrued in respect of the period in question.

(iv) In accordance with Section 48 (10) of the Planning and Development Act 2000 no appeal shall lie to An Bord Pleanála in relation to the contribution required under this condition except where it is considered by the applicant that the terms of the Scheme have not been properly applied by the Planning Authority.

**Reason:** It is considered reasonable that a contribution be made in accordance with the North Tipperary County Council Development Contributions Scheme 2011 made under Section 48 of the Planning and Development Act 2000.

**Item 3.4**  
**Local Area Plans**  
**for Holycross**  
**and Western**  
**Area**

Cllr. J. Carroll indicated that he required more time to consider this matter. Following discussion it was proposed by Cllr. J. Carroll, seconded by Cllr. S. Morris and agreed to defer consideration of the proposal to place on public display proposals to revoke the Holycross Local Area Plan and the Western Area Local Area Plan and to vary the County Development Plan 2010-2016. It was further agreed to hold Special Meeting to consider this matter after the Annual Meeting on 27<sup>th</sup> June 2011.

**Item 4.1**  
**Environment**  
**Quarterly Report**

Members noted the Environment Quarterly Report, copy of which was circulated via email.

Cllr. S. Morris expressed concern that many people are obtaining speeding fines as a result of the private company monitoring speed at Lisbunny Graveyard. He considered the location was inappropriate. He also stated that the speed limit on this road should be 100 km. Mr. M O' Connor advised that there is a review of speed limits being carried out and this would include a proposal to change the speed limit to 100km. He advised that the van was parked on a public road and was entitled to be there. Following discussion it was agreed to write to the company to express Members concerns.

Cllr. J. Kennedy asked for an update regarding the use of cameras to detect illegal dumping. Mr. M. Shortt stated that the number of on the spot fines issued is substantially increased this year.

**Item 5.1**  
**Community &**  
**Enterprise**  
**Quarterly Report**

Members noted the Community & Enterprise Quarterly Report, copy of which was circulated via email.

Cllr. J. Ryan asked that contact be made with festival committees and other such bodies that are promoting tourism in Tipperary to ensure that their contact details are placed on the [www.tipperary.com](http://www.tipperary.com) website, which is currently being redesigned.

Members complimented the Smoke Alarm Project and asked if there was a grant scheme to cover Radon Gas and Co2 Gas. Mr. M. Shortt undertook to check this.

**Item 6.1**  
**Candidates for**  
**Presidential**  
**Election**

Cllr. J. Kennedy informed the Members that this issue was discussed at the Corporate Policy Group Meeting and it was recommended that the potential candidates be invited to address the Members in July.

It was proposed by Cllr. J. Ryan, seconded by Cllr. D. Ryan and agreed that a Special Meeting of the County Council should be convened to allow potential independent candidates for the Presidential Election to address the Members on Monday 11<sup>th</sup> July 2011 at 10 a.m.

**Item 7.1**  
**Dignity at Work**  
**Policy &**  
**Procedures 2011**

Members noted the revised Dignity at Work Policy & Procedures 2011, copy of which was circulated via email. Ms. S. Kennedy also stated that a new Equality Action Team has been formed in the Local Authority.

**Item 8.1**  
**Reports on**  
**Strategic Policy**  
**Committee**  
**Meetings**

Summaries of the following Strategic Policy Committee Meetings were noted: -

- Housing held on 25<sup>th</sup> May 2011
- Planning & Development/Community & Enterprise held on 14<sup>th</sup> June 2011

**Item 9.1**  
**Report on**  
**Meetings held by**  
**Area Committees**

Summaries of the following Area Committee meeting was noted:

- Nenagh held on 30<sup>th</sup> May 2011
- Newport held on 30<sup>th</sup> May 2011
- Thurles held on 30<sup>th</sup> May 2011
- Templemore held on 8<sup>th</sup> June 2011

Cllr. D. Ryan referred to the lack of Discretionary Grant funding and stated that there was no fund for the provision of public lighting. He asked if tertiary roads funding could be used for this purpose. Mr. J. MacGrath undertook to obtain a response and to advise members at the next meeting.

**Item 10.1**  
**Attendance at**  
**Conferences**

It was proposed by Cllr. S. Hanafin, seconded by Cllr. D. Ryan and resolved "That pursuant to Section 142 (5) of the Local Government Act 2001 and having regard to (i) the benefits likely to accrue, (ii) the general interest of this administrative area and of the local community (iii) the estimated cost of the proposed attendance and the provision made for such purposes in the annual budget, hereby nominate those listed hereunder to attend the following Conference/Seminar":

Seminar/Conference /Similar event	Dates	Venue	Nominees	Estimated Cost
Southern & Eastern Regional Assembly Annual Conference	27 <sup>th</sup> May	Mermaid Arts Centre, Bray, Co. Wicklow	Cllr. Mattie Ryan Cllr. Denis Ryan	€500
IBIS Annual Conference – North-South Institutions and Cross-Border Relations	26 <sup>th</sup> May	John Hume Institute for Global Irish Studies, University College Dublin	Cllr. John Carroll	€500
Catch the Wave – Getting on board with Social Entrepreneurship	17 <sup>th</sup> May	Tallaght Stadium, Tallaght, Dublin	Cllr. Michael O'Meara	€500
Peace III Conference	24 <sup>th</sup> June	City Hotel, Derry	Cllr. John 'Rocky' McGrath Cllr. Eddie Moran Cllr. Denis Ryan	€500
Programme for Government & Local Government	6 <sup>th</sup> – 7 <sup>th</sup> May	City North Hotel, Gormanstown, Co. Meath	Cllr. Michael Smith	€500
National Public Policy-Making and the Councillor	20 <sup>th</sup> – 21 <sup>st</sup> May	Carlton Millrace Hotel, Bunclody, Co. Wexford	Cllr. John Hogan Cllr. John Kennedy	€500
All-Island Marine Leisure Tourism Conference	8 <sup>th</sup> – 10 <sup>th</sup> June	Ards Borough Council Area	Cllr. Denis Ryan Cllr. John Kennedy Cllr. John Hogan Cllr. Micheal Lowry	€500
Procurement Expenditure & Revenues in Local Government	27 <sup>th</sup> – 29 <sup>th</sup> May	Silver Tassie Hotel, Letterkenny, Co. Donegal	Cllr. Hughie McGrath Cllr. Michael O'Meara	€500
Renewable Energy – Local Government can make a difference	3 <sup>rd</sup> – 5 <sup>th</sup> June	Mill Park Hotel, The Mullins, Donegal Town, Co. Donegal	Cllr. John 'Rocky' McGrath Cllr. Micheal Lowry	€500
31st Annual MacGill Summer School	24 <sup>th</sup> – 29 <sup>th</sup> July	Glenties, Co. Donegal	Cllr. Michael Smith Cllr. Jim Ryan	€500
IRCHSS/ISSP Summer School – Making the Built Environment Work	27 <sup>th</sup> June – 2 <sup>nd</sup> July	Iontas Building, North Campus, NUI Maynooth	Cllr. Jim Ryan Cllr. Dr. Phyll Bugler	€500
Parnell Summer School	14 <sup>th</sup> – 19 <sup>th</sup> August	Avondale House, Rathdrum, Co. Wicklow	Cllr. Jim Ryan	€500
Lough Ree Environmental Summer School	13 <sup>th</sup> – 17 <sup>th</sup> July	Lanesborough, Co. Longford	Cllr. Jim Ryan	€500
Reviving Rural Rail	17 <sup>th</sup> – 19 <sup>th</sup> June	Abbey Court Hotel, Nenagh, Co. Tipperary	Cllr. Jim Casey	€500
Indemnity from Liability of Decisions of the Body Corporate	10 <sup>th</sup> – 12 <sup>th</sup> June	Kigsvalley Hotel, Merlin Park, Dublin Road, Galway	Cllr. John 'Rocky' McGrath	€500
International Peace Conference	2 <sup>nd</sup> – 5 <sup>th</sup> June	Ballykisteon Hotel & Golf Resort, Ballykisteon, Limerick Junction, Tipperary	Cllr. Jim Ryan	€500

**Item 10.2**  
**Reports on**  
**Conferences**

Members noted the following Reports on Conferences attended:

Conference/Seminar Title	Date Of Conference	Reports Received from:
BMW Regional Assembly Annual Conference	6 <sup>th</sup> May 2011	Cllr. John Carroll
Lessons from the Crisis – Taxes & Saving in a Changing World	9 <sup>th</sup> May 2011	Cllr. John Carroll
Catch the Wave – Getting on board with Social Entrepreneurship	17 <sup>th</sup> May 2011	Cllr. John Carroll
Institute for British & Irish Studies Annual Conference – North-South & Cross Border Relations	26 <sup>th</sup> May 2011	Cllr. John Carroll

**Item 11.1**  
**Mayor's Business**

Cllr. J. Kennedy complimented Cllr. V. O'Dowd and the organising Committee on the Reviving Rural Rail Conference held in Nenagh on the weekend beginning 17<sup>th</sup> June 2011.

**Item 12.1**  
**County**  
**Manager's/**  
**Directors Business**

Ms. R. Joyce informed the meeting that a Joint Civic Reception would be held after the Council meeting to honour the North Tipperary Branch of the Irish Wheelchair Association and Community Alert groups in North Tipperary.

Ms. R. Joyce informed the member that the Annual Meeting of North Tipperary County Council would take place in St. Patrick's College, Thurles on 27<sup>th</sup> June 2011 at 2 p.m.

Mr. L. McCarthy informed Members that there is a reconfiguration of Civic Offices ongoing in order to incorporate Motor Tax later in the year. In response to Members requests an updated list of Contacts will be circulated in the near future.

**Item 12.2**  
**County**  
**Manager's/**  
**Directors Orders**

Members noted the County Managers/Directors of Services/Heads of Functions Orders for month of May 2011.

**Item 13.1**  
**Tenders**

Members noted the following Schedule of Tenders:-

Kilsaran Road surfacing and Contracting, Piercetown, Dunboyne, Co. Meath in the sum of €408,467.68 for the supply and lay of bituminous Macadam and associated works in the Roscrea Area.
SAP Landscapes Ltd. and SAP Ground Maintenance ltd., Ballygoran, Maynooth, Co. Kildare in the sum of €7,390 excluding VAT for grass cutting on the Nenagh Regional Approach Roads and the N52 Bypass
SAP Landscapes Ltd. and SAP Ground Maintenance ltd., Ballygoran, Maynooth, Co. Kildare in the sum of €24,211 excluding VAT for grass cutting on the Nenagh Regional Approach Roads and the N52 Bypass
Roadplan Consulting Ltd, 7 Ormonde Road, Kilkenny in the sum of €3,500 excluding VAT to compile a Feasibility Study for Nenagh/Limerick cycle routes (co-funded by Limerick and North Tipperary county Councils)
Burma Rhode Ltd., Lougherlower, Cahir in the sum of €66,079.30 excluding VAT for renovation and extension to house at Ballingarry, Roscrea

Members expressed concern at the number of contracts being awarded to contractors from outside the County. They queried how contracts are advertised. They also queried the criteria used for assessing tenders. Mr. J. MacGrath replied that there is a detailed and prescribed procedure on procurement. He stated that an information paper would be prepared by the Procurement Officer and this would be circulated to members.

**Item 14.1**  
**Notices of Motion**

**No. 13,062**

**Notice of Motion No: 13,062 submitted by Cllr. Denis Ryan**

"That our Council would facilitate a voluntary organisation who are being grant aided by the LEADER Partnership, and who are unable to raise a loan from their own resources because of the banking crisis, with a temporary loan to be repaid when the LEADER funding is received."

The motion had previously been proposed and seconded at the May Council Meeting and had been left on the Agenda for further reply.

The following reply was read out: -

*'We have had further discussions with North Tipperary LEADER Partnership in connection with how we might progress this project. Following these discussions North Tipperary County Council will be positively disposed to advancing some loan funding to projects, subject to an overall cap on total advances. A formal scheme will have to be put in place which will cover such items as :*

- *Linked to specific NTLP programmes*
- *Funding to come from Community Development levies*
- *Interest rate which will be linked to prevailing rates in a designated institution.*
- *% of total cost of project advances, indications are 30% would be sufficient.*
- *Exposure to a risk of non repayment, which would need to be minimised through a formal*

*loan agreement*

- *Duration of the scheme and a review mechanism.*

*We would hope to bring this scheme to Members at the July meeting'.*

Cllr. D. Ryan welcomed the progress on this matter and complimented Mr. L. McCarthy, Head of Finance for his work on it.

**Item 15.1**  
**Correspondence**

Members noted the following correspondence copy of which was circulated to them via email: -

1.	Letter from Donegal County Council outlining motion adopted by them calling on the Government to abolish the universal Social Charge.
2.	Letter from Shannon Town Council outlining motion adopted by them regarding losses incurred by Quinn Insurance.
3.	Letter from Ards Borough Council regarding motion adopted by Thurles Town Council expressing revulsion at the recent murder of police officer, Constable Ronan Kerr.
4.	Letter from Galway County Council outlining motion passed by them opposing the transfer of the issuing of Driving Licences to Central Government.
5.	Letter from Galway County Council outlining motion passed by them opposing the transfer of Higher Education Grants to Dublin City Vocational Education Committee.

**Item 16.1**  
**Any Other**  
**Business**

Cllr. M. Smith asked for an update on the position regarding a playground at Gleann Glas, Roscrea to which grant funding of €80,000 had been allocated however nothing appears to have happened to date on progressing this. Mr. M. Shortt undertook to check and revert to Cllr. Smith on same.

Cllr. J. Ryan expressed concern regarding newspaper reports that Accident and Emergency Services at the Limerick Regional Hospital could be closed nightly at 8.30 p.m. He asked that a letter be sent to the Minister and to the H.S.E. seeking clarification. Other members supported Cllr. Ryan in this matter.

Cllr. J. Meaney asked that the Ballina/Killaloe Bridge Crossing be identified as a priority for capital funding for this Council. He also called for a meeting with the Minister and that the County Manager discuss the matter with his counterpart in Clare. Mr. J. MacGrath undertook to do this.

This concluded the business of the Meeting, a true copy of which we hereby certify.

Signed: \_\_\_\_\_  
**Cllr. Micheál Lowry,**  
**Mayor**

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
**Ms. Rosemary Joyce,**  
**Meetings Administrator**

Date: \_\_\_\_\_