

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING
OF NORTH TIPPERARY COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK
ROAD, NENAGH ON MONDAY 18th APRIL, 2005 AT 2.00
P.M.**

Present **Cllr. John Hogan, Mayor - Presided**

Cllrs. Jim Casey; Ger Darcy; Tom Harrington; Joe Hennessy; Willie Kennedy; Denis Ryan; Harry Ryan; Mattie Ryan; John Carroll; Sean Creamer; Pauline Coonan; Seamus Hanafin; John Sheehy; Michael O'Meara; Micheál Lowry, Michael Smith; Jim Ryan; John Kennedy; Dr. Phyll Bugler

Apology: Cllr. T. Berkery.

Also Present Terry Ó'Niadh, County Manager; Paddy Heffernan, Director of Services; Matt Shortt, Director of Services; Frank O'Halloran, Acting Director of Services, Pat Slattery, Acting Director of Services; Liam McCarthy, Head of Finance; Gerard Lynch, Head of Information Systems; Marcus O'Connor, Senior Engineer; Jim McGuire, Senior Engineer; Peter Hogan, Senior Executive Officer; Eamonn Brennan, Senior Executive Officer; Sharon Kennedy, Senior Executive Officer; Brian Clancy, Acting Senior Executive Officer; Olive Dwan, Administrative Officer; Teresa Kiely, Staff Officer; Michelle Maher, Senior Staff Officer; Janice Gardiner, Senior Staff Officer; Melanie Scott, Arts Officer and Mary Quigley, Assistant Staff Officer.

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

Fergus O'Connor on the death of his mother Rita.
Rosemary Joyce on the death of her mother Martina.
Olivia Madden on the death of her grandmother Rose.
Ristead O'Domhnaill on the death of his mother Agnes
Mary Crowe on the death of her mother-in-Law Josephine Crowe.
Margaret Cleary on the death of her uncle Mick Cleary.

Mr. T. Ó'Niadh wished to be associated with the Votes of Sympathy.

**Votes of
Congratulatory** Votes of Congratulatory were passed to the following:

Lough Derg Yacht Club on winning the Mitsubishi Motor/Irish Independent Yacht Club of the Year 2005.
Thurles Crokes Intermediate Ladies team on winning the County Intermediate Road Championships Team Title.
Kildangan GAA Club on winning the All Ireland Intermediate Hurling Club Final.
Hollycross U21 Football Team on winning the U21 County Final.

Mr. T. Ó'Niadh wished to be associated with the Votes of Congratulatory.

Suspension of Standing Orders

On the proposal of Cllr. J. Carroll, seconded by Cllr. J. Sheehy, it was agreed to suspend Standing Orders in order to allow for a discussion on the recent announcement with regard to the Planning Guidelines. The Mayor invited Mr. P. Slattery to outline the main issues with regard to the guidelines and their impact on the County Development Plan. Mr. Slattery then gave a summary of the guidelines and confirmed that most of items have already been included in the County Development Plan – however, a provision with regard to consideration on health issues would have to be included. All the members welcomed the clarification and expressed their satisfaction that the County Development Plan already addresses most of the provisions.

**Item 1.1
Adoption of Minutes of Previous Meeting**

It was proposed by Cllr. J. Carroll, seconded by Cllr. S. Creamer and unanimously agreed that the minutes of the March Monthly Meeting be adopted.

**Item 1.2
Action Plan Progress Report**

Members noted the Action Plan Progress Report, copy of which had been sent to them via email.

**Item 2.1
Part 8 – Strengthening Works at Fantane**

Mr. T. Ó’Niadh informed the Members that a submission had been received on the final day for receipt of submissions and in order to address issues raised in that submission, it was necessary to defer consideration of this item until the next meeting of the Council.

**Item 2.2
Part 8 – 6 No. Houses & Playground at Rearcross**

Members noted the Report on the proposed development of 6 No. Houses and Playground at Rearcross, which had been circulated via email. Queries raised with regard to same were replied to by the staff present.

**Item 3.1
Traveller Accommodation Programme 2005 – 2008**

Mr. P. Heffernan introduced this item and outlined the process in drafting same. He referred to the various achievements to date. The Members welcomed the programme and congratulated the Housing Staff on the report and on their work to date. A number of queries raised by the members were replied to by Mr. P. Heffernan. On the proposal of Cllr. J. Casey, seconded by Cllr. S. Hanafin, it was agreed to adopt the Draft Traveller Accommodation Programme 2005 – 2008.

**Item 4.1
Roads Quarterly Report**

Members noted the contents of the Roads Quarterly Report, copy of which was circulated via email. Queries raised by the Members were replied to by the staff present.

**Item 4.2
2005 Roadworks Programme**

Members noted the contents of the 2005 Roadworks Programme, copy of which was circulated via email and details of which had been discussed at the area meetings. Mr. M. Shortt and Mr. M. O’Connor replied to queries raised by the Members. Following same, it was proposed by Cllr. Jim Ryan, seconded by Cllr. Denis Ryan and agreed

to approve the Road Works Programme for 2005.

Item 5.1
Water Services
Quarterly Report

Members noted the contents of the Water Services Quarterly Report, copy of which was circulated via email. Members welcomed the report and complimented all staff.

Item 5.2
Water Services
Small Schemes
Proposals 2005

Members noted the contents of the Water Services Small Schemes Proposals 2005, copy of which had been circulated via email. Mr. M. Shortt and Mr. J. McGuire replied to queries raised by the Members. On the proposal of Cllr. J. Sheedy, seconded by Cllr. J. Kennedy it was agreed to adopt Water Services Small Schemes Proposals for 2005.

Item 6.1
Draft Local Area
Plan for Holycross

Mr. P. Slattery introduced the proposed Local Area Plan for Holycross. A number of issues were raised by the Members, including concerns with regard to the provision of a footbridge and these were replied to by Mr. P. Slattery. It was noted that the Plan will now be placed on public display and a report on the submissions will be presented to the Council in due course.

Item 6.2
Planning &
Development
Register

Members noted the Planning and Development Register for the month of March 2005.

Deputation from
The Irish
Farmers'
Association -
Sugar Beet
Section.

The Mayor welcomed a Deputation from the Irish Farmers Association. A presentation was made by Elaine Farrell, Executive Secretary, IFA with regard to issues facing the beet growers in Ireland as a consequence of EU Commission sugar reform proposals and also following the changes in arrangement with the Beet Companies. The Council was then addressed by Mr. Eamonn Murphy representing the North Tipperary Beet Growers and Mr. Pdraig Moran, County Chairperson with the IFA.

Following further discussions, it was proposed by Cllr. John Hogan, seconded by Cllr. John Carroll and agreed to send the following Resolution to the Minister for Agriculture & Food, Ms. Mary Coughlan. "That North Tipperary County Council calls on the Minister for Agriculture Ms. Mary Coughlan to ensure that the Beet Growers of Ireland are assured of a viable future for the beet industry in Ireland."

Item 7.1
Tidy
Towns/Community
Groups Grant
Scheme 2005

Members noted Tidy Towns/Community Groups Grant Scheme 2005 copy of which was circulated via email. Mr. F. O'Halloran replied to any questions raised by the Members.

Item 8.1
Arts Grant
Allocation 2005

Members noted the 2005 Grant allocations in accordance with the Arts Act and on the proposal by Cllr. J. Sheehy, seconded by Cllr. J. Carroll it was agreed to approve same.

Item 9.1
Draft Annual
Report 2004

Mr. T. Ó’Niadh referred to the Draft Annual Report which had been circulated to each Member – it was agreed to consider adoption of same at the May meeting.

Item 10.1
Corporate Plan &
Customer Action
Plan
Implementation
Reports 2004

Members noted the Corporate Plan & Customer Action Plan Implementation Report 2004. Mr. T. Ó’Niadh referred to the various achievements contained in the report and congratulated the Members and staff in respect of same.

Item 11.1
Report on Service
Indicators for
2004

Members noted the Report on Service Indicators for 2004. A number of queries were raised by the Members with regard to same, which were replied to by the staff present.

Item 12.1
Strategic Policy
Committees

Members noted the minutes of the following Strategic Policy Committee Meetings as circulated by e-mail:

- Environment & Emergency Services SPC Meeting held on 23rd March 2005.
- Planning & Development/Community & Enterprise SPC Meeting held on 12th April 2005.

Item 13.1
Area Committees

Members noted the minutes of the following Area Committee Meetings, circulated by e-mail:

- Thurles Area Meeting held 29th March, 2005
- Nenagh/Newport Area Meeting held 4th April, 2005
- Roscrea/Templemore Area Committee held 14th April, 2005

Item 14.1
Conferences

It was proposed by Cllr. J. Casey, seconded by Cllr. G. Darcy 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 estimates, hereby nominate those listed hereunder to attend the following Conference/Seminar”

Seminar/Conference /Similar event	Dates	Venue	Nominees	Estimated Cost
Cork County Councils Annual Mayors Conference “Meeting the Challenges of Economic & Tourism Development in Rural Ireland”	14 th – 15 th April 05	Westlodge Hotel, Bantry, Co.Cork	Tom Harrington Denis Ryan John Sheedy Willie Kennedy	€500
The Duhallow Conference 2005- A 4 Day Seminar	21 st -24 th - April 05	Duhallow Park Hotel, Killarney Rd, Kanturk, Co.Cork	John Kennedy	€500

Nuclear Energy – Does it Have a Future?	09-11 th March 2005	West Court Hotel, Drogheda, Co. Louth	Denis Ryan	€500
LAMA – 22 nd Annual Conference	31 st Mar – 1 st Apr 05	Rochestown Park Hotel, Cork	Jim Ryan MI Lowry MI Smith	€500
General Council of County Councils	3-5 th March 2005	Marriott Johnstown House Hotel Enfield Co. Meath	Tom Berkery	€500

Item 14.2
Reports on
Conferences

Members noted the following Reports on Conferences: -

Conference/Seminar Title	Date Of Conference	Reports Received from:
Media Skills for Councillors	29 th January 05	Cllr. Seamus Hanafin
General Council of County Councils	3 rd – 5 th March 05	Cllr. Mattie Ryan
LAMA Annual Conference	31 st – 1 st April 05	Cllr. Jim Ryan
Nuclear Energy-Does it have a Future	9 th -11 th March 05	Cllr. Tom Harrington
Wexford Historical Society – Digging Wexford	11 th – 13 th March 05	Cllr. John Kennedy
Implementation National Spatial Strategy	3 rd – 4 th February 05	Cllr. Jim Casey Cllr. Willie Kennedy Denis Ryan
Association of Municipal Authority's – Spring Seminar	11 th – 13 th February 05	Cllr. Tom Harrington Cllr. Harry Ryan
National Energy Conference	10 th – 11 th February 05	Cllr. Jim Casey
Spatial development of European's north western periphery	22 nd -23 rd February 05	Denis Ryan

Item 15.1
Mayors Business

The Mayor advised the Meeting that the Official Opening of the Civic Offices by Mr. Dick Roche, Minister for the Environment, Heritage and Local Government will take place on the 10th June, 2005.

The Mayor referred to the ongoing problems in relation to Shannon Vermicomposting Ltd. in Rathcabin. Mr. T. Ó'Niadh informed the Members that the High Court had granted an Injunction against this Company in respect of the existing site and adjoining site. The Members complimented the Council Staff and Legal Team on their excellent work.

Item 16.1
County
Managers/Directors/Heads of

No matters arising.

Functions
Business

Item 17.1
County
Managers/Directors Orders

The members noted the County Managers/Directors Orders for the month of March 2005.

Item 18.1
Tenders

There were no tenders.

Item 19.1
Correspondence

The members noted the following correspondence which was circulated to them via email: -

<u>1.</u>	<p>Letter received from Leitrim County Council.</p> <p>The following resolution was passed by the members of Leitrim County Council at Council Meeting held on 7th March 2005: -</p> <p>"That Leitrim County Council call on the Minister for Communications, Marine and Natural Resources, without delay: To bring an end to all drift netting for salmon; In co-operation with angling and tourist interests and fishery owners, to introduce a scheme to compensate those commercial fishermen who may suffer hardship as a result of the ending of drift netting and that this motion be circulated to all local authorities."</p>
<u>2.</u>	<p>Acknowledgement from Office of the Minister for Agriculture and Food to our letter concerning closure of the Malting Plant at Banagher .</p>
<u>3.</u>	<p>Letter received from Kerry County Council.</p> <p>At a recent meeting of Kerry County Council the following motion was adopted. It was agreed that this motion would be circulated to all other local authorities for support.</p> <p>"That this Council declares the County of Kerry to be a GM free zone. That in line with this the Council opposes the growing of all Genetically Modified crops as they will inevitably contaminate conventional and organic species"</p>
<u>4.</u>	<p>Letter received from Sligo County Council.</p> <p>At a meeting of Sligo County Council, the following Resolution was passed and it was agreed to circulate it to all Councils in the state:</p> <p>"That in view of the deaths on our roads this council calls on the minister of education to introduce a programme of driving instruction and road safety as part of the transition year syllabus in all secondary schools. Further, if this motion is passed that it is circulated to all county councils asking them to support the motion"</p>
<u>5.</u>	<p>Acknowledgement from Office of Mr. Dick Roche, Minister for the Environment, Heritage & Local Government to acknowledge receipt of your recent letter in connection with the parking of large convoys of vehicles at roadsides or in public places.</p>

<u>6.</u>	<p>Letter received from Naas Town Council.</p> <p>At a meeting of Naas Town Council , it was agreed that the following Notice of Motion would be forwarded to all Councils for their support:</p> <p>“That this Council again requests that the Minister for Justice immediately activates the necessary legal and constitutional measures to create a Garda Reserve Force, organized on a regional basis and with emphasis on community “protection” requirements in developing towns like Naas.</p>
<u>7.</u>	<p>Letter from Department of Environment, Heritage & Local Government in reply to our letter requesting that the house improvement grant scheme be reintroduced.</p>
<u>8.</u>	<p>Acknowledgement from Health Service Executive to our letter regarding Addiction Counselling.</p>
<u>9.</u>	<p>Appreciation notes for Votes of Sympathy passed have been received from the families of the late:</p> <p>Elizabeth Costello, Sopwell, Cloughjordan Eleanor King, Killowney, Ballymackey, Nenagh Kitty Gleeson, Smithfield, Nenagh</p>
<u>10.</u>	<p>Letter received from the General Council of County Councils as follows:</p> <p>The General Council of County Councils is concerned at the democratic deficit that has opened in relation to the delivery of health services at local level. The General Council is particularly concerned that the Minister for Health has not yet made any announcement on the proposed regional fora provided for under Section 42 of the Health Act 2004.</p> <p>The National Executive of the General Council has therefore recommended that the sample motion outlined below should be issued to all our member councils with a view to it being passed and sent to the Minister for Health: -</p> <p>“That this council deplors the democratic deficit that has arisen in the delivery of health services since the abolition of the health Boards and calls on Minister Harney to bring forward without delay proposals for engaging local elected members with the new Health Services Executive”</p>
<u>11.</u>	<p>Ms. Sharon Kennedy referred to two recent letters received, details as follows:</p> <p>A letter was received from Young Nenagh Project Ltd. inviting the Council to nominate a Member to become a member of the Company. Following discussion, it was proposed by Cllr J Kennedy, seconded by Cllr. J. Carroll and agreed by all the Members that this request might be more appropriately addressed to Nenagh Town Council and agreed that a letter be issued accordingly.</p> <p>A letter was received from Mr. Roger Garland with regard to ‘keeping Ireland open’. Following consideration of same, it was proposed by Cllr J. Casey, seconded by Cllr. J.</p>

	Carroll and agreed to refer this matter to the Planning & Development, Community & and Enterprise SPC.
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Item 20.1
Adjourned
Notices of Motion

It was noted that the notice of motion submitted by Cllr. M Lowry did not require further attention.

Item 21.1
Any Other
Business

This Concluded the Business of the Meeting, a true copy of which we hereby certify.

Signed: _____
Cllr. J. Hogan
Mayor.

Date: _____

Signed : _____
Ms. Sharon Kennedy,
Senior Executive Officer

Date: _____