

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING
OF NORTH TIPPERARY COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK
ROAD, NENAGH ON MONDAY 21ST NOVEMBER, 2005
AT 2.00 P.M.**

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

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

Also Present

Terry Ó'Niadh, County Manager; Paddy Heffernan, Director of Services; Tom Barry, Director of Services; Matt Shortt, Director of Services; Frank O'Halloran, Senior Engineer; Liam McCarthy, Head of Finance; Gerard Lynch, Head of Information Systems; Sharon Kennedy, Senior Executive Officer; Rosemary Joyce, Senior Executive Officer; Gerry McGarry, Financial/Management Accountant; Olive Dwan, Administrative Officer; Brian Beck, Senior Executive Planner; Patsy Brislane, Acting Senior Staff Officer.

**Votes of
Sympathy**

Votes of Sympathy was passed to the following:

Mr. John Bergin on the death of his father, Nicholas.

**Votes of
Congratulatory**

Votes of Congratulatory were passed to the following:

- Roscrea Tidy Town and Voluntary Committees on their recent achievement in the Co-operation Ireland Pride of Place Competition. Ms. R. Joyce was also complimented on her involvement in this Project.
- Nenagh and Thurles ESB Office Staff were thanked for their service to the public over the years.
- Moyne/Templetuohy Football Team on winning the County Final.

Item 1.1
Adoption of
Minutes of
October 2005
Monthly Meeting

It was proposed by Cllr. D. Ryan, seconded by Cllr. J. Casey and unanimously agreed that the minutes of the October Monthly Meeting held on the 17th October, 2005 be adopted.

Item 1.2
Adoption of
Minutes of Special
Meeting held on
24th October 2005

It was agreed to defer the adoption of these minutes until the Special Meeting concluded.

Item 1.3
Adoption of
Minutes of
Adjourned Special
Meeting held on
14th November
2005

It was agreed to defer the adoption of these minutes until the Special Meeting concluded.

Item 1.4
Action Plan
Progress Report

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

Item 2.1
Finance
Quarterly Report

Members noted the contents of the Finance Quarterly Report, copy of which was circulated via e-mail.

Mr. L. McCarthy advised Members that the prescribed period for adopting the 2006 Budget is 25 November 2005 to 13 January 2006. It was therefore agreed to hold the Budget Meeting on Monday 12th December 2005 @ 2.00 pm.

The Members raised their concerns with regard to a number of issues listed as follows:

- The level of grants paid to Burial Ground Committees in respect of maintenance costs,
- The provision of a pedestrian crossing and a footpath to the new houses in Rearcross.
- The provision of a defibrillator in the Civic Offices.

Item 3.1
Disposal of Shared
Ownership
Property

It was proposed by Cllr. J. Casey, seconded by Cllr. J. Ryan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at 10 Upper Sarsfield Street, Nenagh, to Reps of Bernadette Kennedy (deceased) be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.2
Disposal of Shared
Ownership
Property

It was proposed by Cllr. J. Hogan, seconded by Cllr. D. Ryan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at 19 The Orchard, Millersbrook, Nenagh, to John & Bridie Kenneally be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.3
Disposal of Shared
Ownership
Property

It was proposed by Cllr. G Darcy, seconded by Cllr. S. Creamer and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at 2 The Copse, Millersbrook, Nenagh, to Edward Carmody be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.4
Disposal of Shared
Ownership
Property

It was proposed by Cllr. Ml. Smith, seconded by Cllr. P. Coonan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at Dareens, Templemore, to Robert & Christine Hodgkins be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.5
Disposal of Shared
Ownership
Property

It was proposed by Cllr. S. Creamer, seconded by Cllr. J. Sheehy and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at 5 Ballygraique Estate, Nenagh, to Michelle Walsh be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.6
Disposal of Shared
Ownership
Property

It was proposed by Cllr. J. Hogan, seconded by Cllr. J. Ryan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at 28 Collins Park, Thurles, to Patrick & Ann Kennedy be carried out in accordance with the terms of the Notice dated 3rd November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 3.7 Disposal
of Land – Young
Nenagh Project

It was proposed by Cllr. T. Harrington, seconded by Cllr. M. Ryan and resolved that pursuant to Section 211 of the Planning & Development Act, 2000, the disposal of land at Nenagh North to Young Nenagh Project be carried out in accordance with the terms of the Notice dated 9th November 2005 sent to each Member, and in accordance with the provisions of Section 183 of the Local Government Act, 2001.

Item 4.1
Planning &
Development
Register

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

Item 4.2
Planning &
Development
Quarterly Report

Members noted the contents of the Planning & Development Quarterly Report, copy of which was circulated via e-mail.

Members requested that a further workshop on the County Development Plan be arranged for Agents.

An issue was raised with regard to Pre-Planning Consultations – Members requested that same be arranged at an earlier date than presently arranged and

also that replies be typed where possible.

A concern was raised with regard to the level of expertise required to deal with planning applications for telecommunication masts – this was replied to by Mr. T. Barry.

Mr. T. Barry agreed to provide Members with a timeframe for forthcoming Town Development Plans for Nenagh, Thurles and Templemore and also agreed to distribute the Draft Roscrea Development Plan to Members at the next Roscrea/Templemore Area Committee Meeting.

An issue was raised with regard to staffing levels in planning and Members expressed their concerns with regard to the current recruitment embargo in respect of recruitment. It was proposed by Cllr. D. Ryan, seconded by Cllr. J. Casey that this Council writes to the Department of Environment, Heritage and Local Government objecting to the embargo and detailing the impact same is having on services.

Item 4.3
Draft Holycross
Local Area Plan

Members noted the Managers Report and Recommendations on submissions received in relation to the proposed Draft Holycross Local Area Plan and agreed to refer this item to the Thurles Area Committee Meeting next week.

Item 4.4
Draft Western
Area Local Area
Plan

Mr. T. Barry outlined to Members the Manager's Report and Recommendations on submissions received in relation to the proposed Draft Western Area Local Area Plan. It was agreed to hold a Special Area Meeting on 5th December @ 10.30 am. to include Nenagh/Newport and Borrisokane Area Committees to discuss this Plan further.

Item 4.5
Draft Master Plan
for Cullenagh,
Ballina.

Mr. T. Barry informed Members that the Manager's Report and Recommendation on submissions received in relation to the Draft Master Plan for Cullenagh, Ballina would be circulated at the Nenagh/Newport Area Committee Meeting on the 7th December 2005 @ 10.30 am.

Item 5.1
Community &
Enterprise
Quarterly Report

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

Mr. T. Barry advised the Members with regard to the provision of funding for the Lough Derg Project.

Concern was also expressed with regard to the condition of the Abbey Hall, Roscrea and it was requested that Roscrea be considered for a future Arts Centre.

Members complimented Mr. T. Barry, Ms. M. Scott, Arts Officer and Community & Enterprise Staff for their wonderful work to date.

A discussion also took place with regard to the provision of funding for Christmas Lighting in villages. Mr. T. Barry clarified the position with regard to same.

Item 6.1
Strategic Policy
Committees

There were no Strategic Policy Committee Meetings held.

Item 7.1
Area Committees

A summary of the following meeting was noted:

- Borrisokane Area Committee Meeting

Item 8.1
Conferences

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

Seminar/Conference /Similar event	Dates	Venue	Nominees	Estimated Cost
Lama Silver Jubilee Year	04 th – 05 th November 05	Mount Errigal Hotel, Letterkenny	Cllr. Michael O’Meara Cllr. Michael Smith Jnr. Cllr. Sean Creamer Cllr. John Sheedy Cllr. Tom Berkery	€500
Shannon & District Chamber of Commerce	12 th October 05	Great Southern Hotel, Shannon	Cllr. Willie Kennedy	€500
Community Safety Conference	10 th – 12 th November 05	Fairview Hotel, Dundalk	Cllr. Michael Smith Jnr.	€500
Hidden Truths, Silent Cries...	1 st November 05	City West Hotel,	Cllr. Michael O’Meara	€500
Natural resource Tourism Conference	9 th November 2005	Queens University Belfast	Cllr. John Carroll Cllr. Jim Casey Cllr. John Hogan	€500
Positioning Tourism, Quality or Price?	24 th - 26 th November	The Falls Hotel, Ennistymon, Co. Clare	Cllr. Michael O’Meara Cllr. Michael Smith	€500

Item 8.2
Reports on
Conferences

Members noted the following Reports on Conferences: -

Conference/Seminar Title	Date Of Conference	Reports Received from:
Local Government & the Arts	26 th – 27 th Aug 05	Cllr. Mattie Ryan
Planning- Urban vs Rural	6 th – 7 th October 05	Cllr. Harry Ryan Cllr. Mattie Ryan Cllr. Michael Smith
LAMA Silver Jubilee	4 th – 5 th November 05	Cllr. Mattie Ryan Cllr. Michael Smith

Item 9.1
Mayors Business

The following items were raised under Mayor's Business:

Members raised their concern with regard to the number of public lights which are out-of-order. In particular, concern was raised with regard to a number of faulty lights at the top end of Liberty Square, Thurles. Mr. T. Ó'Niadh advised that the repair of out-of-order street lighting is the responsibility of the ESB and that such faults should be reported to the ESB directly stating the Pole number which is indicated on each Pole. However, Members detailed a number of difficulties with regard to this process. Mr. T. Ó'Niadh further advised that this Council propose to upgrade a number of old lights next year subject to available funding in the Budget, however, he agreed to investigate the 4 number faulty lamp heads in Liberty Square.

Cllr. J. Casey referred to faulty street lights fitted in Cloughjordan and Templemore and expressed his disappointment that the Templemore street lights only were replaced.

A discussion also took place on ESB and Eircom Poles which are now a hazard due to the boundary wall/ditch being set back. Members requested that a list of such dangerous poles be prepared. Mr. T. Ó'Niadh agreed to prepare such a listing; however, responsibility of rectifying this matter is between the landowner and ESB/Eircom. Cllr. J. Casey requested that this matter be referred to the appropriate Strategic Policy Committee.

Cllr. S. Creamer asked if Local Authorities are empowered under legislation to have an input in the renewal of pub licenses. Mr. T. Ó'Niadh agreed to revert back to the Members on this issue.

Cllr. Creamer advised the meeting that a local newspaper printed details of the Nenagh/Newport Area Committee Meeting which supposedly took place last week. It was confirmed that no such meeting took place.

Cllr's Ml. O'Meara, J. Casey and G. Darcy raised their concerns with regard to the site at Shannon Vermi Composting Ltd., Rathcabbin and asked that Shannon Vermi Composting Ltd. be asked to provide a protective cover on the site as soon as possible. The Councillors further requested that this Council do all in its power to ensure that the site is made safe. A discussion also took place on the freezing of assets of Shannon Vermi Composting Ltd. Members suggested that a letter be issued to the Court Services concerning the financial implications for this Council as a consequence of not being granted an injunction at an early date. Mr. T. Ó'Niadh advised the Members of the legal position with regard to same.

Further to questions raised by Members on the future of Nenagh Recycling Centre, Mr. T. Ó'Niadh advised that the capacity of the Recycling Service will not be reduced, should there be any changes implemented.

A discussion also took place on Ballaghveny Landfill Centre and Mr. T. Ó'Niadh updated Members on the present situation and ongoing negotiations

with waste collectors.

Item 10.1
County
Managers/Directors/Heads of
Functions
Business

Mr. F. O'Halloran updated Members on the Silvermines Rehabilitation Project and on forthcoming Public Displays and information days. He also advised that the SRL Consultants have been appointed to the project.

Ms. R. Joyce advised Members on the forthcoming Customer Survey which will commence the end of November 2005. This was welcomed by the Members.

Mr. G. Lynch updated Members on broadband in North Tipperary.

Item 11.1
County
Managers/Directors/Heads of
Functions Orders

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

Item 12.1
Tenders

No tenders were received.

Item 13.1
Deferred Notices of Motion

It was agreed to further defer Notices of Motion nos. 12,910, 12,919, 12,920 and 12,921 to the December Monthly Meeting.

Item 13.2
New Notices of Motion

It was agreed to defer Notices of Motion nos. 12,923, 12,924, 12,925, 12,926 and 12,927 to the December Monthly Meeting.

Item 14.1
Correspondence

This item was deferred.

Item 15.1
Any Other Business

It was proposed by Cllr. S. Hanafin, seconded by Cllr. H. Ryan to adjourn the meeting to allow the Adjourned Special Meeting take place.

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

Signed: _____
Cllr. J. Carroll
Mayor.

Date: _____

Signed : _____
Ms. Sharon Kennedy,
Senior Executive Officer

Date: _____