

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING
OF NORTH TIPPERARY COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK
ROAD, NENAGH ON MONDAY 21ST JANUARY 2008 AT
2.00 P.M.**

Present

Cllr. Jim Casey, Mayor - Presided

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

Also Present

Terry Ó Niadh, County Manager; Karl Cashen, Director of Services; Paddy Heffernan, Director of Services; Matt Shortt, Director of Services; Marcus O'Connor, Acting Director of Services; Liam McCarthy, Head of Finance; Kieran Callanan, Acting Senior Engineer; Gerry Robinson, Senior Executive Engineer; Rosemary Joyce, Senior Executive Officer; Eamonn Brennan, Senior Executive Officer; Patsy Brislane, Acting Senior Staff Officer.

**Votes of
Sympathy**

Votes of Sympathy were passed to the following:

- Liam Bergin on the death of his wife, Geraldine
- Carmel Leonard on the death of her sister, Mary Kennedy
- Robert Johnson, Springmount, Templemore on the death of his son, Kenneth
- Kathleen Quigley, Lackaroe on the death of her husband, Hugh Quigley
- The McCarthy Family on the death of Mary Kate McCarthy
- Kitty Meagher, Sarsfield St., on the death of Sean Meagher.

D'aontaigh an Bainisteoir Contae le gach cuid de na vótaí agus go mór mór leis an vóta chuig Liam Bergin ar bhás a bhean chéile.

Adjournment

It was proposed by Cllr. M. Ryan, seconded by Cllr. J. Carroll and unanimously agreed to adjourn the meeting for 15 minutes as a mark of respect to the late Geraldine Bergin, wife of Liam Bergin, Senior Executive Officer.

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

It was proposed by Cllr. J. Carroll, seconded by Cllr. D. Ryan and unanimously agreed that the minutes of the December 2007 Monthly Meeting be adopted.

Item 1.2
Adoption of
Minutes of Budget
2008 Meeting

It was proposed by Cllr. S. Hanafin, seconded by Cllr. M. Ryan and unanimously agreed that the minutes of the Budget 2008 Meeting be adopted.

Item 1.3
Action Plan
Progress Report

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

Item 2.1
Three Year
Capital
Programme 2008
- 2010

Members welcomed the Three Year Capital Programme for 2008-2010. A number of members expressed concern at flooding in the County particularly in Thurles Town. It was agreed to invite the Office of Public Works (OPW) to attend a Council Meeting to outline their policies and proposals in relation to drainage and rivers in North Tipperary. Mr. M. Shortt responded to queries raised by members in relation to Water Schemes.

Mr. T. Ó Niadh referred to the presentation give by Mr. M. Shortt at the October 2007 Council meeting which informed Members of the financial implications for this Council in meeting our contribution towards new Schemes (approximately 25%). He advised Members that a meeting with the Minister to discuss this issue has still not been secured. He also advised that this Council will have to consider prioritising Schemes as a result of the financial implications and that it may be necessary to recommend not proceeding with a Scheme. Prioritisation would be a matter for the members based on the Engineer's recommendation.

Item 2.2
HFA Loan for
housing purposes

It was proposed by Cllr. J. Hogan, seconded by Cllr. G. Darcy and resolved that pursuant to the Local Government Act 2001 and subject to the sanction of the Minister of the Environment, Heritage and Local Government, this Council approves the raising of a loan not exceeding two million, five hundred thousand Euro (€2,500,000) from the Housing Finance Agency (HFA) for any purpose authorised under the Housing Acts for the year January 2008 to December 2008 inclusive.

Item 2.3
HFA Loan for
Voluntary
Housing Purposes

It was proposed by Cllr. M. Smith, seconded by Cllr. D. Ryan and resolved that pursuant to Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 and subject to the sanction of the Minister of Environment, Heritage and Local Government, North Tipperary County Council approves the raising of a 30 year loan with the Housing Finance Agency (HFA) in the sum of €6,711,678 (six million, seven hundred and eleven thousand, six hundred and seventy eight euro) for the purpose of a Capital loan and subsidy voluntary housing scheme for 27 units at Whitepark, Roscrea, Co. Tipperary to be undertaken by Respond Voluntary Housing Association.

Item 2.4
HFA Loan for
Affordable
Housing Purposes

It was proposed by Cllr. J. Hogan, seconded by Cllr. M. Smith and resolved that pursuant to the Local Government Act 2001 and subject to the sanction of the Minister of Environment, Heritage and Local Government, North Tipperary County Council approves the raising of a bridging finance loan with the Housing Finance Agency (HFA) in the sum of €2,265,843 (two million, two hundred and sixty five thousand, eight hundred and forty three Euro) for the purpose of constructing 13 affordable housing units at Whitepark, Roscrea, Co Tipperary to be undertaken by Respond Voluntary Housing Association.

Item 3.1
North Tipperary
Leader
Partnership
Company

The Mayor advised that it had been the unanimous decision at the December Meeting to adjourn this item to allow the Town Councils make their nomination so as to ensure that there was a geographical spread. It was confirmed that the Town Councils had not yet considered this item. Cllr. P. Coonan requested that the item be dealt with and referred to the need for gender balance. She indicated that she was very interested in the position in view of her voluntary work.

A discussion took place on whether to defer this item again to allow the Town Councils make their nominations and to fulfill the requirement of geographical spread and gender balance across all electoral areas if possible. It was proposed by Cllr. Tom Berkery and seconded by Cllr. P. Bugler as follows:

“That Item No. 3.1 – nomination of 3 Councillors to North Tipperary Leader Partnership Company to be dealt with.”

As there was not agreement on this a roll call vote was taken with the following results:

Voting For the motion: Cllrs. G. Darcy, T. Berkery, P. Bugler, S. Creamer, P. Coonan, D. Ryan, J. Kennedy, M. Lowry. (8 Members)

Voting Against the motion: Cllrs J. Casey, M. O’Meara, J. Carroll, T. Harrington, M. Ryan, J. Sheehy, J. Hennessy, J. Hogan, M. Smith, J. Egan, S. Hanafin, W. Kennedy, J. Ryan. (13 Members)

The motion was lost as 13 Councillors voted against and 8 voted in favour of the motion.

This item was therefore adjourned to the February 2008 Meeting.

Item 4.1
Roads Quarterly
Report

Members welcomed the Roads Quarterly Report, copy of which was circulated via email.

A number of issues were raised by Members including the damage caused to roads caused by flooding due to recent rainfall, the need for a database of areas susceptible to flooding, the need for a dedicated maintenance crew to deal with drainage, the position in relation to the temporary closure of Portumna Bridge, the delay in repairing public lights in Thurles by ESB and concerns about practices being employed on the N7 NDP Route including overloading of trucks, use of tertiary roads and failure to clean roads.

Following discussion it was agreed to write to the Department to seek a once off additional allocation to deal with the damage caused by flooding.

Mr. M. Shortt replied to questions raised by Members and stated that he would check the position in relation to the signing of the contract for the Nenagh Castletown Motorway and advise members. He will also report at the next Borrisokane Area Meeting on the Portumna Bridget temporary Closure plan.

Item 4.2
Periodic Speed
Limits

It was proposed by Cllr. J. Ryan, seconded by Cllr. J. Carroll and agreed to adopt draft schedules of Periodic Speed Limits under the Road Traffic Act 2004 as per the report circulated by e-mail and as recommended by the Strategic Policy Committee.

Item 4.3
Unauthorised sale
of Vehicles from
Public Roadside

It was proposed by Cllr. J. Carroll, seconded by Cllr. J. Ryan and agreed to adopt draft policy on the unauthorised sale of vehicles from the public roadside, as per the report circulated by e-mail and as recommended by the Strategic Policy Committee.

Item 4.4
Unauthorised use
Of Variable
Message Signs On
Public Roadside

It was proposed by Cllr. W. Kennedy, seconded by Cllr. J. Kennedy and agreed to adopt draft policy on the unauthorised use of variable message signs on the public roadside, as per the report circulated by e-mail and as recommended by the Strategic Policy Committee.

Mr. T. O'Niadh advised Members that illegal signs are treated as litter and are removed on the day that they are put up, where possible. He also asked Members to ensure that the plastic ties that were used for election posters are removed. He also advised that the issue of advertising on trucks parked in fields adjacent to roadways will be raised at national level.

Item 5.1
Water Services
Quarterly Report

Members welcomed the Water Services Quarterly Report, copy of which was circulated via email.

Members raised their concern on a number of issues particularly planning restrictions on development due to shortage in sewerage capacity.

Mr. M. Shortt and Mr. G. Robison replied to questions raised by Members. It was agreed to check the report of possible river pollution in Thurles town near The Source.

Item 6.1
Planning &
Development
Register

This item was deferred to the February monthly meeting.

Item 7.1 Scheme
Under Official
Languages Act

This item was deferred to the February monthly meeting.

Item 8.1
Strategic Policy
Committees

This item was deferred to the February monthly meeting.

Item 9.1
Area Committees

This item was deferred to the February monthly meeting.

Item 10.1
Conferences

It was proposed by Cllr. T. Harrington, seconded by Cllr. T. Berkery 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
Participation in Policy – Making it work	11 th December	Dublin Castle	Cllr. Willie Kennedy	€500

Item 10.2
Reports on
Conferences

This item was deferred to the February monthly meeting.

Item 11.1
Mayors Business

Cllr. J. Casey advised Members that a presentation of scroll to Nenagh AFC Ladies Soccer Club would take place after the Council Meeting.

Item 12.1
County
Managers/Directors
/Heads of Functions
Business

It was agreed to defer this item to the February meeting.

Item 12.2
County
Managers/Directors
Orders

It was agreed to defer this item to the February meeting.

Item 13.1
Tenders

This item was deferred to the February monthly meeting.

Item 14.1
Notices of Motion

Notice of Motion No. 12,995 – submitted by Cllrs. J. Sheehy, M. Ryan & T. Berkery

“To ask the County Manager “as Ethics Registrar” to give a detailed report on his investigation into allegation of unethical behaviour made against public representatives and the conclusion reached”.

It was agreed to defer this item to the February meeting.

Notice of Motion No. 12,996 submitted by Cllrs. M. Lowry, M. Smith, J. Egan, S. Hanafin, P. Coonan, J. Kennedy, J. Ryan, J. Hennessy, J. Hogan

“That North Tipperary County Council review its plans for the proposed Arlington Novas Development at Mitchel Street, Thurles, and to work with us, the elected representatives of the county, to find a more appropriate location for all concerned. We are asking for this with the best interest of the residents in the area and also ultimately the people who need to be housed in mind”.

The Motion was proposed by Cllr. J. Ryan and seconded by Cllr. J. Kennedy.

The following reply was read out: -

Background on Homeless Strategy;

The Department of the Environment Heritage & Local Government in May 2000 requested Local Authorities in conjunction with the H. S. E., and Voluntary Bodies to prepare action plans for homelessness, so that homeless people, people at risk of homelessness, and all issues associated with homelessness could be addressed in a strategic way. The D. O. E. also requested that a Homeless Forum be established in each Local Authority area for the purpose of overseeing the preparation and implementation of the action plan. The homeless forum was established for North Tipperary in the autumn of 2000 under the auspices of the Housing S. P. C. The forum consists of representation from County Council, H.S.E, Voluntary Bodies, V.E.C., F.A.S, the Three Town Council's, Mid West Simon, North Tipperary Community Services. Cllr Denis Ryan is chairman of the forum. The first Homeless Action plan was adopted by the Council in May 2001. This (2001) plan and the current plan 2007 – 2009 is guided by the principle of “continuum of care model “for homeless people, i.e. from the time a person becomes homeless, or serious risk of homelessness, they are guided through Emergency / Transitional supported accommodation as appropriate, to assist them back into independent living in the community. In 2003 the Homeless Persons Centre (H.P.C.) was established at Friar's Court, Nenagh, managed by a Community Welfare Officer, and Resettlement worker. Outreach clinics are held weekly in Nenagh, Thurles and Roscrea. The work of the H.P.C was supplemented in April 2006 with the appointment of an outreach support worker, employed by Nenagh Community Social Services. The Homeless Plan 2001 identified the need for Emergency Accommodation in the main Towns in North Tipperary. The need for same became more acute as the years passed, and has been highlighted by the Homeless Forum at meetings over the past four years.

2007 – 2009 Homeless Action Plan;

As referred to above the strategy adopted in the 2007 – 2009 plan is the continuum of care model. The plan also identifies the urgency of providing Emergency/Transitional Accommodation, particularly in Thurles and Nenagh. This plan was adopted unanimously by North Tipperary County Council at its meeting on 26th March 2007. This Council in conjunction with the Town Council's and the H.S E. now have a responsibility to implement the plan, and work towards resolving the issues relating to homelessness in North Tipperary.

2007 – 2009 Plan – Needs Analysis;

The incidence of homelessness (i.e. the number of persons/ households presenting as homelessness over a given period) shows that 140 cases presented at homeless clinics during the period January 2006 to November 2006. 59% of these were males and 41% females. 26 % of those presenting were from the Thurles area. The main reason for homelessness stated was, Family disputes 26%, Breakdown in Living Arrangements, 15%, and people being discharged from Hospital/ Treatment centres and from Care 11%. The analysis shows that 45% of those presenting were placed in B&Bs. The absence of emergency accommodation means that the options for placing people are limited, and Homeless people do not get

the chance they deserve to avail of professional support by way of care plans in emergency accommodation.

Mitchel St. Project;

In November 2006 a local committee expressed serious concern in relation a small cohort of rough sleepers in Thurles Town. The committees discussed same with officials of North Tipp Co Co, Thurles Town Council and the H.S.E. The committee made contact with Arlington Novas who are very experienced in providing services for Homeless People throughout the country, with a view to acquiring accommodation in Thurles for this cohort of Homeless People. During the process of identifying suitable accommodation, two properties became available adjacent to each other at Mitchell St, Thurles and were acquired by Arlington Novas, under the Voluntary Housing Capital Assistance scheme for development as projects for Homeless people. It was envisaged that each house would accommodate 5 / 6 people. The acquisition and development of the two houses for homelessness was supported by this Council, as the need in Thurles was greater than these two projects could deliver. Following concern raised by members of this Council and Thurles Town Council and Oireachtas members, and local opposition, a meeting was held with public representatives in Thurles on 30th March last, the project was put on hold for four months or so to allow the public representatives to come forward with an alternative proposal. As there were no developments in this regard, following a number of meetings and discussions, a compromise proposal was put forward by Arlington Novas. This proposal provided for the development of one house only (No 56 Mitchel St) as Emergency Accommodation, which would accommodate people who are indigenous to Thurles Town / Environs, and would not include the cohort of rough sleepers. Referrals to the house would be decided by North Tipp Co. Co., Thurles Town council, Homeless Persons Unit. A service level agreement would also be entered into between Novas / North Tipp Co Co / H.S.E. in respect of service delivery requirements of the unit. It was further agreed that the second house would be purchased by Thurles Town Council and used for its general housing function.

Evidence of Need in Thurles;

I have already referred to the 2007 – 2009 plan and the figures on incidence of homelessness for 2006. In 2007, 145 cases presented as homeless countywide in North Tipperary. 67 cases (46%) were from Thurles. 50% of these were single males and 27 % single females. Many of these have been supported for months by the H.P.C in Bed & Breakfast, which is inappropriate and re-inforces the need for dedicated Emergency Accommodation.

The 2007 / 2009 plan also analysed the prevalence of homelessness (i.e. the number of persons/households homeless on a given day.) as at 14th December 2006. 40 persons / households were deemed homeless in North Tipperary on that date. 50% were from the Thurles area. 67 % were men with two thirds under the age of 45.

It is clear from the Action Plan and from Forum meetings that there is an acute need to develop a range of accommodation options in Thurles, the most pressing being emergency accommodation facility for single homeless persons, particularly men.

Key Objective of the Project – (one house 5/6 persons at Mitchell St)

The provision of emergency accommodation and support services for to cater for 5/6 single persons who are indigenous to the Thurles Town / Environs area.

Individualised care and support plans to be implemented.

Persons in the accommodation to have access to a range of Health, Social Services and specialised care as required.

Facilitate residents to integrate into appropriate accommodation in the community.

It should also be noted that the D.E.H & L.G. have given approval in principle to the provision of funding under section 10 of the Housing Act 1988 towards management / Security costs in 2008, and this Council have included a relevant sum in its 2008 budget to meet its share (10 %) of the cost.

Conclusion;

This Council have a statutory obligation to meet the needs of Homeless People. The provision of emergency accommodation is a first step in meeting this obligation as set out in the Homeless Action Plan 2007 – 2009 adopted unanimously by this Council.

We are one year into the 3 year plan, and it is imperative that the acute need for emergency accommodation in Thurles in delivered now. The absence of emergency accommodation is making it very difficult for staff in the H.P.C. to place people who present as homeless. Homeless people must be given an opportunity to avail of services that will be delivered by professionals in emergency accommodation.

The proposal to develop one house is a reasonable proposal and must be proceeded with. After all, the people who will be accommodated in this house are already living in the Thurles area, and will now be in accommodation, managed by professionals with a care plan in place for each person. This should allay any fears that people in the area might have. Furthermore, management arrangements for the house will be incorporated in a binding service level agreement between Arlington Novas and North Tipp Co Co / H.S. E.

Arlington Novas are currently making arrangements for refurbishment of 56 Mitchell St. so that it can be brought to fruition at the earliest possible date. This process must be fully supported by this Council, otherwise, the Council will be failing in its obligation to provide the necessary supports to homeless people, as set out in the 2007 – 2009 Plan adopted by the Council

in March 2007.

It appears that there has been considerable misinformation in relation to the scope of the project, and it is now proposed to write to all residents in Mitchell Street, and clarify precisely the arrangements for the compromise proposal as referred to above.

P. Heffernan – Director of Services.

There was a lengthy discussion on the subject during which Members questioned whether Mitchel Street was the correct location for the project. They also expressed concerns at the suitability of Arlington Novas to manage the facility. Members called on the executive to review the proposal in terms of location, type of housing, type of service to be provided and the service provider. Mr. P. Heffernan responded to items raised by the Members. He advised that, following a meeting in the Thurles Town Council Office, it had been agreed that the entire project be put on hold for a period of four months to allow the Members of the Town and County Councils and the Oireachtas Members to come up with alternative proposals. However, no suitable alternative had come out of that.

Mr. T. Ó Niadh welcomed the debate on the Motion. A comprehensive response had been given by the Director of Services with which he totally agreed. He said that the resolution reflected the will and desire of Members and that he would take on board what had been said. The proposal would be reviewed taking into account the Council's statutory obligations, how far the project was advanced and the views of the Members. The outcome of the review would be communicated to Members when completed.

Suspension of Standing Orders

On the proposal of Cllr. J. Hogan seconded by Cllr. J. Ryan it was unanimously agreed to suspend Standing Orders to allow the Meeting to continue past 5.30 p.m.

Item 15.1 Correspondence

It was agreed to defer this item to the February meeting.

Item 16.1 Any Other Business

It was agreed to defer this item to the February meeting.

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

Signed: _____
Cllr. J. Casey
Mayor

Date: _____

Signed : _____
Ms. Rosemary Joyce
Senior Executive Officer

Date: _____