

**MINUTES OF PROCEEDINGS OF THE BUDGET MEETING 2009  
OF NORTH TIPPERARY COUNTY COUNCIL HELD IN THE  
COUNCIL CHAMBER, CIVIC OFFICES, LIMERICK ROAD,  
NENAGH ON MONDAY 12<sup>TH</sup> JANUARY 2009 AT 2.00 P.M.**

**Present****Cllr. Joe Hennessy, Mayor - Presided**

Cllrs Tom Berkery; Dr. Phyll Bugler; Jim Casey; John Carroll; Pauline Coonan; Sean Creamer; Ger Darcy; John Egan; Seamus Hanafin; Tom Harrington; 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; Liam McCarthy, Head of Finance; Matt Shortt, Director of Services; Karl Cashen, Director of Services; Paddy Heffernan, Director of Services; Marcus O' Connor, Director of Services; Gerard Lynch, Head of I.S; Rosemary Joyce, Senior Executive Officer; Breda Moloney, Administrative Officer; Gerry McGarry, Financial/Management Accountant; Brian Beck, Senior Planner.

Mr. T Ó Niadh outlined that a Budget Workshop had been held on 5<sup>th</sup> December 2008 at which the Draft Budget had been considered in detail. The statutory Budget Meeting had been held on 15<sup>th</sup> December 2008 and the members again considered the Draft Budget in detail. The Draft Budget had been voted down. He had written to the Minister and asked for an extension of time for to consider the Draft Budget. The response from the Minister of 22<sup>nd</sup> December, which granted a departure from the Regulations to enable a Budget Meeting to be held not later than 13<sup>th</sup> January 2009, had been circulated to members. The Mayor had agreed to hold the meeting on 12<sup>th</sup> January 2009.

Mr. Ó Niadh asked members if they had gone through his statement and the statement of the Head of Finance on the Draft Budget. Members confirmed that they had. Each of the Programmes was then considered and issues raised by members were responded to.

Cllr. P. Coonan referred to the letter written by the County Manager to the Minister and asked why it did not mention the issue of the increase in water charges. She expressed concern at the potential impact of these charges on businesses in North Tipperary.

Cllr. J. Ryan asked for confirmation that the provision in relation to the Homeless Shelter in Mitchell St., Thurles would be taken out of the budget and that all questions raised on this matter would be responded to.

Cllr. T. Berkery asked about the impact of loss of revenue at the Landfill in Ballaghveny and what programmes would be affected arising from same.

In response Mr. T. Ó Niadh advised that there were on-going negotiations between Council staff and refuse suppliers. It was not proposed to negotiate with suppliers in a public forum. One supplier had relocated and this had also

happened early last year. In his opinion the reason for withdrawal related to pricing policy. The matter had been discussed at the Corporate Policy Group meeting and he had recommended to take a calculated risk that the budget income would be secured. If it was not secured management would come back with proposals. The Draft Budget being considered was the same one as had been considered at the previous meeting. There was no proposal on the table from the County Manager to withdraw the funding for the Mitchell St. project however if the members decided to transfer the net provision of €2,000 to housing maintenance he would not have a problem with that and he would deal with other issues in accordance with the legal advice obtained. His objective in writing to the Minister was to get an extension of time and this had been obtained.

Cllr. S. Hanafin asked if any progress had been made on matters previously raised by him in relation to road at Galboola which was damaged arising from the construction of M8 and the approach road at Drish where there were on-going problems with illegal parking. He welcomed the allocation of funding to roads in the Thurles area from development contributions and asked if some of this could be used to rectify the situation at Drish.

Other members welcomed the proposals for their respective areas in relation to use of Development Contributions to fund road improvements. Cllr. M. Smith raised the issue of provision of footpath at Benamore, Roscrea to the Golf Club.

In response to queries Mr. T. Ó Niadh advised that the members had previously asked for details of development contributions. These had been circulated at the previous meeting. It was proposed to spend an additional €3.3 million over three years. He requested that members would raise any proposed modifications at area meetings. He confirmed that the footpath at Drish and in Roscrea would be raised with the National Roads Authority. It was not proposed to use development contributions on national roads as this was a matter for the N.R.A. He confirmed that the contractors would be expected to reinstate roads damaged arising from construction of major national roads projects.

Cllr. M. Lowry stated that a number of businesses were facing uncertain futures. He asked if the County Manager would review proposed increases in water charges and allow a meeting of the Roads & Water Services Strategic Policy Committee to take place to afford representatives from the Vintners, I.F.A., Chambers of Commerce and other relevant groups to attend and put across their views and fears. This meeting should take place within the next ten days and any implications of the increase in charges should be deferred.

A number of members spoke in support of Cllr. Lowry's proposal. Cllr. T. Berkery was concerned that if the budget was adopted there would be no change in the decision on charges and considered that explanations should be given at that meeting.

Cllr. S. Hanafin raised concerns in relation to the billing system and stated that the charging of water in, water out needed to be examined in the context of leaks where the water in was not the water out.

Cllr. P. Coonan asked about the use of treated water for animals and other

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purposes.

Mr. T. Ó Niadh advised that the determination of charges was a function of the County Manager not the members. It was Government Policy, falling out of EU policy that the funding and sources of income for the production and distribution of water services should be ringfenced. The business sector had asked for the users of the service to be charged as previously the burden was being met by the ratepayer who was not necessarily the user. The proposal in the County Manager's Budget was that the water charge should be increased from €1.10 per cubic metre to €1.20 per cubic metre. The cost of production was €1.269 per cubic metre. In the case of waste water the proposal was to increase the charge from €0.80 per cubic metre to €1.20 per cubic metre. The actual cost was €1.631 per cubic metre. The Council was not therefore in full compliance yet with the policy. The Government had introduced the decision to implement the user pays principle three years ago. At the Budget Meeting at that time the Council had agreed that it would be too much to impose the full increase in one go and that it would be phased in over three years.

Statistics were circulated to the meeting showing the charges for rates and water services in other counties in the Mid West and other comparable local authority areas. Details were also circulated of number of bills issued and average value – 81% of bills for half year ended September 2008 were less than €250, 91% of bills were less than €500. Figures were also circulated of examples of charges for specific types of premises in different areas.

Mr. Ó Niadh advised that the budget for water services could not be reduced as any reduction would impact on quality and possibly on human health and human life. He advised that the charges were based on operational costs only. There was no provision as yet for capital expenditure. He stated that the Council only produce treated water and is not in a position to do anything else. He also confirmed that any member has the right to attend any Strategic Policy Committee meeting. He would defer signing the Manager's Order setting the charges until after the S.P.C. meeting.

Cllr. J. Ryan asked about the funding of works related to rectifying the problem with lead in Thurles. Mr. Ó Niadh advised that notification of an allocation had been received last week which would go some way towards dealing with the lead issue and also chlorine monitoring as required by the E.P.A. It was proposed to carry out an audit of lead piping across the county.

Cllr. J. Casey paid tribute to the Fire Service in Cloughjordan and expressed concern that the issue of Cloughjordan Fire Station had been used as a reason for not supporting the Budget. He asked that members would agree to direct Management to write to the Department of the Environment, Heritage & Local Government reiterating their call for capital funding for provision of a new Fire Station in Cloughjordan and that the Oireachtas members would be asked to make representations in support.

Cllr. M. O' Meara stated that he was proposing that €40,000 be included in the Budget next year and for the next 25 years for lease of a premises for Cloughjordan Fire Station and that anyone could come forward and propose a suitable site for same. In response Cllr. J. Casey stated that there were three different proposals in relation to available premises and that a commitment to lease for one year would be of no benefit. He believed capital funding was the

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appropriate approach rather than revenue. Revenue funding would mean committing the Council to providing from the budget for 25 years and he did not think this could be done.

Cllr. G. Darcy also commended the Fire Service in Cloughjordan and spoke in support of Cllr. O' Meara's proposal.

Cllr. J. Hogan referred to the needs of the Templemore Fire Service and stated that the provision of capital funding was a matter for the Department.

Mr. T. Ó'Niadh responded to the matters raised by members. He advised that the Council had decided as a matter of policy that a brand new Fire Station should be provided in Cloughjordan. A submission had been made to the Department and he had spoken to the Minister, to Deputies and to officials in the Department. He would continue to do this. He could not support the proposal to provide funding in the revenue account as the provision of capital funding for Fire Services was a matter for the Department.

Cllr. S. Creamer indicated that he had not supported the Draft Budget at the previous meeting due to concerns relating to roads in his area. Since then these had been addressed to some extent. Having listened to the debate he was now signalling that he intended to vote for the Draft Budget in the interest of putting the people of North Tipperary first.

Cllr. D. Ryan advised that he had concerns in relation to the budget in respect of issues such as water charges and roads however he had far more serious concerns about abdicating in his duty as an elected representative. The Budget was the most important issue coming before them. He would not do anything to put at risk the provision of the Swimming Pool in Roscrea and was concerned that, if a Commissioner was appointed, there might be problems with progressing the project. He would therefore support the Budget.

Cllr. T. Berkery indicated that he would not support the budget and referred to issues such as water services, county road maintenance and the Cloughjordan Fire Station.

Cllr. J. Kennedy advised that the difficulties he had previously with the budget related to roads. Some of these had been addressed and some had not. He was calling for an emergency meeting to be held in the very near future to establish a strategy for dealing with the roads problems. He welcomed the County Manager's agreement to take out the provision in relation to Mitchell St. and to defer signing the order setting Water Charges. He would support the budget if there was agreement to hold the emergency meeting.

Cllr. W. Kennedy supported Cllr. J. Kennedy's call for a special meeting and referred to delays in patching of potholes and work practices on county roads.

Cllr. M. Lowry also supported the call for a special meeting on roads and proposed that the Manager should write to the Department requesting additional funding for roads.

Cllr. M. O' Meara acknowledged that good progress had been made with the proposals on water charges and roads however he was sticking with his proposal that €40,000 should be included in the budget for Cloughjordan Fire

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Station.

Cllr. J. Ryan welcomed the debate that had taken place on Water Charges. He had already advised the County Manager that he would be voting for the budget.

Cllr. G. Darcy indicated that he supported the call for a special meeting on roads however he could not support the budget because of the water charges issue.

Cllr. P. Coonan stated that she would be voting against the budget because of the issues of Cloughjordan and water charges.

Mr. T. Ó Niadh advised that he considered a workshop would be more beneficial than a special meeting on roads.

Cllr. S. Creamer proposed a vote of sympathy to the families bereaved following tragic accidents in North Tipperary over the Christmas/New Year period and thanked the emergency services for their response to the accidents.

It was proposed by Cllr. John Sheehy and seconded by Cllr. Seamus Hanafin that, pursuant to the provisions of Section 103(7) of the Local Government Act 2001 the County Manager's Draft Local Authority Budget for the financial year ending 31<sup>st</sup> December 2009 set forth in Tables A to F of the said Budget be adopted subject to the following amendment:

- Reduction in income for Income Grant – Homeless Persons €18,000
- Reduction in expenditure Assistance to Homeless €20,000
- Increase in expenditure Housing Maintenance €2,000

Following a roll call vote the proposal was carried by 16 votes to 5.

Cllrs. J. Casey, J. Carroll, S. Creamer, T. Harrington, M. Ryan, J. Sheehy, J. Hennessy, J. Hogan, D. Ryan, M. Smith, J. Egan, S. Hanafin, J. Kennedy, W. Kennedy, M. Lowry and J. Ryan voted in favour.

Cllrs. G. Darcy, M O' Meara, T. Berkery, P. Bugler and P. Coonan voted against.

It was proposed by Cllr. J. Sheehy, seconded by Cllr. S. Hanafin and resolved that, in accordance with the Draft Local Authority Budget adopted as amended for the financial year ending 31<sup>st</sup> December 2009, the annual rate on valuation to be levied for the said financial year be and is hereby determined as set out in Table A – Annual Rate on Valuation 2009 63.9294.

It was agreed that a further letter should be sent to the Minister seeking Capital Funding for provision of a new Fire Station in Cloughjordan.

It was also agreed that a meeting of the Roads and Water Services Strategic Policy Committee would be held at 5 p.m. on Monday 19<sup>th</sup> January 2009 in relation to water pricing.

It was agreed that the date for a workshop in relation to roads should be agreed at the January Council meeting.

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

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Signed : \_\_\_\_\_  
Cllr. Joe Hennessy  
Mayor

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

Signed: \_\_\_\_\_  
Ms. Rosemary Joyce  
Senior Executive Officer

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