

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF
TIPPERARY COUNTY COUNCIL HELD
Remotely Via Zoom
AT 10.00 AM ON 12th April, 2021**

Present

Cllr. Michael Smith, Cathaoirleach.

Cllrs: Ambrose, S; Anglim, M; Black, T; Bonfield, F; Bourke K; Bugler, P; Burgess, D; Carroll, J; Coonan, N.J; Crosse, J; Darcy, G; Dennehy, N.; Dunne, D; English, P; Fitzgerald, J; FitzGerald; M; FitzGerald, MI; Goldsboro, I; Hanafin, S; Hannigan, J; Hanna-Hourigan, M; Kennedy, R; Lee, S; Lowry, MI; S; McGrath, H; McGrath, M; McGrath (Rocky), J; Molloy, R; Moloney, A; Moran, E; Morris, S; Murphy, MI; Murphy, Marie; O'Meara, K; O'Meara, MI; Ryan, A; Ryan, J; Ryan, P; Ryan, S

Also Present

J. MacGrath, Chief Executive, M. O'Connor, S. Carr, P. Slattery, Director of Services, E. Lonergan, B. Beck A/Director of Services, L. McCarthy, Head of Finance, D. Carroll, C.F.O., L. Brett, D. Holland, S.E.'s, A. Fitzgerald, Enterprise Support Officer, N. O'Connell, Senior Planner, D. Dullaghan, County Librarian, M. Scott, Arts Officer, G. Walsh, Meetings Administrator.

1.1 Welcome and Introduction

Cathaoirleach Cllr M. Smith welcomed members to the April Meeting.

Cllr Smith referred to the meetings protocol circulated with the agenda and asked members to observe the rules contained therein.

Congratulations & Civic Reception

Cathaoirleach Cllr MI. Smith, congratulated Ms. Rachel Blackmore on her brilliant success and achievement in being the first female jockey to win the Grand National and first female to be crowned top jockey at the Cheltenham Festival. It was a privilege to witness such a talented, determined champion. He also congratulated the trainer Mr. Henry de Bromhead.

The Cathaoirleach advised members that the Corporate Policy Group had recommended that a Civic Reception would be accorded to Ms. Blackmore and this was unanimously agreed.

The Cathaoirleach also referred to the Civic Reception that had been agreed for the Tipperary Senior Footballers and the difficulties in holding such an event due to current Covid 19 restrictions. He advised members that the CPG had considered and recommended that a virtual civic reception event would be held which would incorporate The Bloody Sunday Commemoration. The Meetings Administrator would revert to members with a date and time for this event once agreed.

Update Mother and Baby Homes.

Cllr M. Smith, Cathaoirleach, advised members that an internal working group meeting with representatives from the Sean Ross Mother and Baby Home had taken place on the 25th March, 2021. It was a productive meeting at which objectives were set out and planned actions agreed. A further meeting of the group was scheduled for June, 2021.

Item 2.1
Disclosures/Conflicts of Interest

Noted, no matters were notified to the Meetings Administrator

Item 3.1
Minutes of Council Meeting held on the 8th February, 2021

Proposed by **Cllr. S Ryan**, seconded by **Cllr. S. Hanafin** and resolved
"That the minutes of the Council Meeting held on the 8th March, 2021, remotely Via Zoom, as presented be adopted".

Matters Arising

Notice of Motion Ref. 2079

Cllr P. English referred to his request at the March Plenary Meeting to have his Motion Ref. 2079 amended to include the Attorney General. It was agreed that the Minutes would be amended to reflect the wording of the motion as follows:-

"That Tipperary County Council request the Government and Attorney General to allow a full and open debate, including prelegislative scrutiny, by a joint Oireachtas Committee ahead of a Dáil vote on the ratification of C.E.T.A. (the Comprehensive Economic and Trade Agreement between the EU and Canada"

Clonmel 2030 Transformational Regeneration

In response to an enquiry by Cllr English it was noted that Clonmel Borough District Members had been briefed on URDF funding and would receive further updates at their District Meeting.

Item 4.1
Approval to Attendance at Conferences/Seminars/Training/Further Education

It was proposed by **Cllr. John Rocky McGrath**, seconded by **Cllr. Marie Murphy** 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 Conferences/Seminars/Trainings: -

Seminar/Conference/Similar Event	Dates	Venue	Nominees
AILG – The Decision on the Planning Application and Appeal	22 nd January, 2021	Via Webinar	Cllr. R. Kennedy Cllr. M. Murphy Cllr. AM Ryan
AILB – Local Authority Planning Enforcement Functions	26 th February, 2021	Via Webinar	Cllr. S. Ambrose Cllr. MI. Murphy Cllr. J. Hannigan Cllr. H. McGrath Cllr. S. Lee Cllr. R. Kennedy

			Cllr. M. Murphy Cllr. AM Ryan
AILG – County Development Plan Policy – Communications	26 th March, 2021	Via Webinar	Cllr. MI. Murphy Cllr. N. Coonan Cllr. E. Moran Cllr. R. Kennedy
The Water Ireland Conference 2021	22 nd and 23 rd April, 2021	Online	Cllr. J. Carroll

Owing to Covid-19 restrictions, no physical conferences, seminars or training took place since the last meeting of the Council.

Item 4.2
Reports on
Conferences

Proposed by **Cllr. John Rocky McGrath** and Seconded by **Cllr. Marie Murphy** and noted.

Item 5.1
Section 183
Notice – Disposal
of property at
Carragaun, Cahir,
Co. Tipperary

It was proposed by **Cllr. M. McGrath**, seconded by **Cllr. Michael FitzGerald** and resolved: -

“In accordance with the provision of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal by transfer of property circa 0.257 ha, situated at Carragaun, Cahir, Co. Tipperary to Mary O’Donnell, Liam Guthrie, and Noel Guthrie in accordance with the terms of the Notice under the above Section, as circulated on Thursday 1st April, 2021.

The disposal was required to facilitate the rectification of title on the property

Item 5.2
Section 85
Agreement
between Wexford
County Council
and Tipperary
County Council

A report had been circulated to the members noting that in May 2015, following an open tender competition, Wexford County Council, Tipperary County Council and Kilkenny County Council entered into a joint contract with Transpoco for the installation and running of an internet-based GPS tracking system for its combined fleet of approximately 600 vehicles. A Section 85 Agreement was signed to facilitate this arrangement. It was accepted that the installation of the GPS system had resulted in efficiencies, particularly in relation to fuel saving. The current contract was due to expire in May 2021 and a new tender process was now required to procure a new contract.

As before, it was proposed that the procurement be undertaken under a single contract, involving Wexford County Council, Tipperary County Council and Kilkenny County Council.

It was proposed by **Cllr. Seamus Hanafin**, seconded by **Cllr. Sean Ryan** and resolved: -

“That in accordance with the provisions of Section 85 of the Local Government Act, 2001, we hereby approve that Tipperary County Council and Wexford County Council enter into an agreement allowing Wexford County Council to execute powers and functions on behalf of Tipperary County Council in relation to the joint procurement and supply of an internet based GPS Fleet Tracking System”.

Item 5.3

**Part 8 - Ard
Alainn Estate,
Moyne.**

The Chief Executives Report had been circulated to the members noting that the proposed development was for the construction of 9 no. new dwelling houses, on a 0.42 hectare site at Moyne, Co Tipperary. The development would consist of 1 no. 3-bedroom, 2-storey house, 4 no. 2-bedroom, 2-storey houses, 4 no. 2-bedroom, single storey houses. The mix of single and two storey units had been designed to accommodate both family and elderly residents. The site (0.42ha) was located centrally within the village of Moyne, to the eastern side of the local road, and consisted of an extension to the existing estate which presently accommodated 9 houses.

The proposed development also included roads, footpaths, underground services, new replacement drainage treatment system, car parking, boundary treatments, landscaping, open spaces and all associated site works.

In accordance with Part 8 of the Planning and Development Regulations 2001, as amended, Tipperary County Council made available for public inspection the plans and particulars of the proposed development from 4th February, 2021 to 5th March, 2021. No submissions were received.

The Planning Authority was satisfied that the proposal was in line with the policies and objectives of the North Tipperary County Development Plan 2010, as varied, would not impact on the visual amenity or character of this area, would not impact on the existing residential amenity of this area, was acceptable in terms of access, was acceptable in terms of drainage and presented no flood risk issues. The development as set out on the plans and particulars was considered acceptable and was consistent with the principle of the proper planning and sustainable development of the area. Therefore, it was recommended that the proposed development should proceed subject to the recommended requirements and conditions.

It was proposed by **Cllr E. Moran**, seconded by **Cllr M. O’Meara** and agreed

“That the development as proposed in the Chief Executive’s Report be proceeded with subject to the recommended requirements and conditions.

Item 5.4

**Part 8 –
Lactacarn,
Ardcroney**

The Chief Executives Report had been circulated to the members noting that the proposal comprised the development of 4no. Houses to the northwest side and within an existing residential development Lactacarn at Ardcroney, Co. Tipperary. The development included for: 3 no., single

storey semi detached 2 bedroom houses. 1 no., single storey semi detached 4 bedroom house, the upgrade of the existing wastewater treatment system, roads, footpaths, underground services, car parking, boundary treatments, landscaping, open spaces and all associated site works.

In accordance with Part 8 of the Planning and Development Regulations 2001, as amended, Tipperary County Council made available for inspection plans and particulars of the proposed development together with the project Appropriate Assessment and Environmental Impact Assessment Screening Documents from 04/02/2021 to 05/03/2021. Two submissions were received.

The Planning Authority was satisfied that the proposal was in line with the policies and objectives of the North Tipperary County Development Plan 2010, as varied would not impact on the visual amenity or character of this area, would not impact on the existing residential amenity of this area, was acceptable in terms of access, was acceptable in terms of drainage and presented no flood risk issues. The development as set out on the plans and particulars was considered acceptable and was consistent with the principle of the proper planning and sustainable development of the area. Therefore, it was recommended that the proposed development should proceed subject to recommended requirements and conditions.

It was proposed by **Cllr G. Darcy**, seconded by **Cllr M. O'Meara** and agreed

"That the development as proposed in the Chief Executive's Report be proceeded with subject to the recommended requirements and conditions."

Item 5.5
Cahir Local Area
Plan 2021-2027

The Chief Executives Report and appendices had been circulated to the members in relation to proposed material alterations to the Cahir Local Area Plan 2021-2027 on submissions and alterations received.

Tipperary County Council had commenced the review of the Cahir Local Area Plan 2011 in November 2019, with the publication of a pre-draft Issues Paper and launch of a four-week public consultation process. The Pre-draft consultation represented the first phase of the Cahir Local Area Plan 2021-2027. In September 2020, the proposed Local Area Plan was published, and a further public engagement strategy took place whereby submissions were invited for a period of 6 weeks. In January 2021, the final public engagement phase of the LAP took place with the publication of Proposed Material Alterations (PMA) to the Local Area Plan. Submissions on the PMA were invited for 4 weeks. The report circulated was a summary of the submissions and observations received in response to that public consultation processes and the Chief Executive's recommendation to same.

It was proposed by **Andy Moloney**, seconded by **Michael Anglim** and resolved: -

"That, pursuant to the provisions of Section 20 of the Planning

and Development Act 2000 (as amended) and having considered the Chief Executives Report circulated on 18th March 2021 on the Proposed Material Alterations to the Cahir Local Area Plan 2021-2027, we the members of Tipperary County Council hereby make the Plan. The Plan is made in accordance with the recommendations set out in the Chief Executives Report, subject to the further modification to the Proposed Material Alterations as agreed at the Tipperary County Council meeting on 12th April, 2021”.

A further resolution was sought in relation to a minor modification to the Plan by the insertion of a new Section “Section 6.5 Cahir and Strategic Employment Opportunities”

It was proposed by **Cllr. Marie Murphy**, seconded by **Cllr. Máirín McGrath** and resolved:

“That pursuant to the Provisions of Section 20 of the Planning and Development Act 2000 (as amended) and having considered the Chief Executives Report circulated on 18th March 2021 on the Proposed Material Alterations to the Cahir Local Area Plan 2021-2027, we the members of Tipperary County Council hereby make the plan. The plan is made in accordance with the recommendations set out in the Chief Executives Report, subject to the further modification to the Proposed Material Alterations as outlined below:

Amendment No.1: Cahir and Strategic Employment Opportunities

Insert new section as follows:

Section 6.5 Cahir and Strategic Employment Opportunities

As outlined above, Cahir is strategically located close to the junction of the N24 and the M8, providing excellent connectivity to Dublin, cities in the Southern Region, ports and airports. The Council will seek to ensure that this connectivity is harnessed by attracting national and regional employment opportunities to the town.

As part of the new Midwest Regional Enterprise Plan 2021-2024 a major proposal is being advanced for a Green Digital Basin in the Mid-west Region. This transformative vision seeks to create Digital Tech and Innovation jobs as part of new renewable energy in the Region. This will require the identification of sites for new energy generation, but it will also identify sites for large data centres and strategic-locational employment sites.

As part of the preparation of a new Tipperary County Development Plan, strategic sites to meet national and regional employment opportunities will be considered and identified. Priority consideration will be given as part of the process to the ‘Strategic Employment’ site located close to the M8 and as identified in the Cahir Local Area Plan 2011. A similar approach will be taken to strategic projects in the preparation of the South East Regional Enterprise Plan 2021-2024.

Reason: The members of Tipperary Cahir Cashel MD consider that the strategic employment site at the intersection of the M8 and N24 should be acknowledged and maintained”.

Chief Executive Mr. Joe MacGrath acknowledged the input of the members of the Tipperary-Cahir-Cashel Municipal District into the Plan. There had been positive engagement by members and he was conscious that difficult decisions had to be made.

District members thanked planning staff for their expertise and guidance.

Cllr M. McGrath voiced her concerns regarding residential zoning changes in the Cahir area and the future implications of these changes.

Cllr Marie Murphy voiced her concerns regarding submissions on specific instances as part of the Consultation process which was noted.

**Item 5.6 –
Refundable Aid
to Irish
Bioeconomy
Foundation CLG**

A report had been circulated to the members outlining the background to the proposal that the Council would provide €500,000 in repayable aid to Irish Bioeconomy Foundation CLG to assist in financing the redevelopment of the Lisheen Mine Site as a National Bioeconomy Campus.

Members of Thurles Municipal District were unanimous in their support of the proposal and spoke of the potential benefits to the district and county. The facility would provide significant employment opportunities, would benefit and strengthen the rural and regional economy and stimulate growth. Members complimented the Centenary Thurles Co-Operative Society Ltd., for their involvement in the project.

It was proposed by **Cllr S. Hanafin**, seconded by **Cllr M. Lowry**
And resolved: -

“That pursuant to Section 66 of the Local Government Act 2001 this Council will provide €500,000 in repayable aid to Irish Bioeconomy Foundation CLG. This aid will carry an interest rate of 2% p.a., will be secured on the property and amortised over a ten year period”.

**Item 5.7
Arts Acts Grants
2021**

Ms. Melanie Scott, Arts Officer, outlined the rationale on the distribution of the Arts Grants 2021. The number and type of applications for the 2021 Arts Act Grant Scheme had been altered by the ongoing COVID-19 pandemic. Groups were seeking support to enable them to record and present more work online and using blended approaches in response to Public Health Guidelines. The approach to recommendations taken had been to support as much artistic activity as possible and to support the sustainability of the sector locally in acknowledgement of their importance to our communities and cultural life.

In the event of groups being unable to proceed with events due to Public Health Advice, it was recommended that the council extend the same once off contribution as in 2020, up to €500 if this occurs (instead of the recommended grant allocation which is based on completion of event). In

this instance, this would not apply to grants which relate to art projects that were taking place in an organisation whose remit was other than arts related e.g. Art projects in health settings, educational settings, youth work settings, where the event for which funding was allocated was additional to their core work. Recommendations were made based on the information contained in project proposals and budgets as submitted by applicants. The recommended total grant allocation under the Arts Act Grant Scheme 2021 was €31,350 across 17 groups and organisations.

It was proposed by **Cllr. Siobhan Ambrose**, seconded by **Cllr. Roger Kennedy** and resolved: -

“That allocation of grants to the sum of €31,350 as per schedule below under the Arts Act 2003 are approved: -

No.	Group	Description	Report	Recommended Allocation 2021
1	Clontempo Choir, Clonmel	Music	Recommend support towards costs associated with Choral performances	€ 2,000
2	Cashel Choral & Dramatic Society	Theatre	Recommend support towards costs associated with theatre production	€500
3	The Nenagh Players	Theatre	Recommend support towards costs associated with annual production	€1,000
4	Uproar Rock Chorus, Clonmel	Music	Recommend support towards costs associated with recording of choir	€1,000
5	Nenagh Choral Society	Musical Theatre	Recommend support towards costs associated with recording & presentation of virtual concert	€3,000
6	Thurles Musical Society	Musical Theatre	Recommend support towards costs associated with concert performance	€1,250
7	Dreamtime Theatre, Annacarthy	Theatre	Recommend support towards costs associated with outdoor theatre production	€600
8	Homeland, Roscrea	Video Art/Film	Recommend support towards costs associated with international	€3,000

			video art & film exhibition	
9	South Tipp Art Group Junior Section, Clonmel	Visual Art	Recommend support towards costs associated with children's art project	€2,500
10	Ballyporeen Community Council Ltd	Visual Art	Recommend support towards costs associated with community art project	€1,000
11	Cloughjordan Circus Club	Youth Circus	Recommend support towards costs associated with annual Youth Circus Programme	€5,000
12	Mountain Lodge Restoration Committee, Cahir	Music	Recommend support towards costs associated with recording and staging of virtual concerts	€4,500
13	Suircan Environmental Forum, Clonmel	Visual Art	Recommend support towards costs associated with short film	€1,200
14	St. Mary's Choral Society, Clonmel	Musical Theatre	Recommend support towards costs associated with virtual concert	€2,000
15	Nenagh Community Training Centre	Visual Art	Recommend support towards costs associated with youth art project	€1,000
16	Live Art Ireland, Borrisokane	Live Art/Film	Recommend support towards costs associated with virtual live art/film exhibition	€1,000
17	Clonmel Arts Studio Group	Visual Art	Recommend support towards costs associated with neighbourhood art project	€800

Item 6.1

Ratification of member to Local Community Development

It was proposed by **Cllr. John Carroll**, seconded by **Cllr. Declan Burgess** and resolved: -

"That in accordance with Section 36 of the Local Government Act 2001, as amended by Section 49A (1), Chapter 2 of Part 6 of the Local Government Reform Act 2014 and Article 4 (1) of the Local

Committee (LCDC)

Community Development Committee (Section 128E) Regulations 2014, and statutory instruments No. 314 of 2014 The Local Community Development Committee (Section 128E) (Amendment) (No. 1) Regulations 2014 and that:

The following name be ratified as a member (Public) of the Tipperary Local Community & Development Committee (TLCDC)

- **Ms. Derval Howley**

Item 7.1

Consideration of Management Report

The Cathaoirleach referred to the Management Report as circulated with the Agenda noting that reports related to the Directorates based in Nenagh and any queries/clarifications would be dealt with by the relevant Director.

Roads, Transportation, Health & Safety

It was agreed on the proposal of the Cathaoirleach that Item Ref. 11.1, Notice of Motion Ref. 2100 would be taken as part of the Management Report on Roads, Transportation, Health & Safety.

Item 11.1

Notice of Motion N24 Limerick to Waterford Upgrade

Motion 11.1 (Ref. 2100) was proposed by **Cllr. Andy Moloney**

“In light of the recent launch of the N24 Limerick to Waterford upgrade, the TII should look at individual developments on a case by case basis instead of freezing a 600m corridor”.

Cllr Moloney in speaking to the motion said that it was important that clarification in relation to timeframes for identification of route options for the N.24 Limerick to Waterford Improvement Scheme would be received in view of concerns regarding the freezing of a 600m corridor along the N24 and the impact this would have on individual planning developments.

Following discussion and having regard to the recent deputation with Minister Eamon Ryan, it was agreed and proposed by **Cllr A. Moloney** to amend the wording of the motion to: -

“That Tipperary County Council would provide a definite timeframe for the publication of the route option for the N.24 Limerick to Waterford Improvement Scheme”.

This motion was seconded by **Cllr MI Fitzgerald.**

Cllr MI. FitzGerald sought clarity on the N.24 Limerick to Waterford Improvement Scheme particularly in relation to the route options for Tipperary Town.

Mr. Marcus O’Connor referred to the deputation with Minister Ryan on the 9th April, 2021, regarding the N24 Limerick to Waterford Improvement Scheme at which a presentation was made to the Minister. Two projects on the N.24 had received funding, Waterford to Cahir and Cahir to Limerick Junction. Concept and feasibility studies were underway on both projects. It was noted that the Tipperary Town portion of the project was urgent owing to the traffic congestion issues in the town. It was

anticipated that the Cahir to Limerick Junction project would have the route options published in June 2021 and it would then proceed to public consultation with the final route selected in early 2022. The Cahir to Waterford project would have route options published by the end of 2021 and final route selected in Q2 2022. It was now important to let the process in respect of route selection for both projects continue.

Mr. M. O'Connor stressed that the priority given to sections of the Scheme was a Ministerial decision. However, the Minister did note the urgency of the Tipperary Town Section and indicated that there was no reason that this section could not be progressed as the first phase of the N24 Limerick Junction to Cahir section without impacting on the overall project.

Cllrs S. Ambrose who was part of the deputation to the Minister, said that it was a positive meeting. She had welcomed the opportunity to raise the need for a ring road for Clonmel and the review of rail timetables at Clonmel Station with the Minister.

Cllr J. Crosse referred to the amount of lands sterilised around Tipperary and the need for these to be reviewed.

Mr. Joe MacGrath thanked the members of the deputation and the Oireachtas members for their input at the deputation with the Minister. The Minister was receptive to the case put forward and assured members of the protection of the scheme in the new National Development Plan. The position of towns on the route had been raised and in particular the town of Tipperary. The Council would now focus on keeping momentum on the process that had commenced on route selections for the scheme.

Mr. Marcus O'Connor, Director of Services, responded to further queries raised by members as follows:-

Regional and Local Roads Allocation

Mr. O'Connor advised members that a workshop was proposed for the 28th April, 2021, to discuss the introduction of a new strategy in relation to the method used by the Council in the distribution of Regional and Roads Allocations. The current 3 year programme was near conclusion and a new 3 year programme was being compiled.

Cllr Ambrose expressed her dissatisfaction at the manner in which the reduction in the roads allocation to each District was notified to the members.

It was proposed by Cllr K. Bourke and seconded by Cllr S. Ambrose that the media would be allowed attend the proposed workshop.

Safety Improvement Works

Proposals for works under this scheme were submitted by each District following which a priority list for the County was compiled and submitted to the Department for approval. It was confirmed that in 2021, all proposals submitted by the Districts did go forward to the Department for approval. Not all projects were successful in receiving funding.

Roads Maintenance – General Operative Staffing Levels

Members were advised that temporary general operatives for seasonal work were being recruited to supplement the existing workforce.

Roads Maintenance – Patching Units

Patching Units were allocated to areas in as fair a manner as possible having regard to the number of units available and the areas of most need.

Traffic Calming

The position of the Council regarding the installation of traffic ramps had been discussed at the February 2021 Monthly Meeting. 30km speed limit signage had been erected in all housing estates that have been taken in charge.

2021 LIS Scheme

45 applications had been received which had been referred to the Districts for investigation. The allocation for 2021 had not yet been notified to the Council.

N62. Turtalla Cross to M8

This scheme was currently at preliminary design stage and it was anticipated that construction works on the scheme would commence in 2022.

N.62 Templemore approach Roads

The length of the pavement scheme under this contract had been extended by T.I.I., however, traffic calming and pedestrian crossings did not form part of the current scheme but may be considered in the future.

N.74 Ballyhusty Realignment

The CPO had been approved on this scheme and Notices to Treat had been issued. Tender documents were being prepared. It was anticipated to be on site in Q4 2021.

N74 Golden to Knockroe Pavement Improvement Scheme

The engagement of Consultants was necessary to provide a detailed design, procurement, specifications and contract documents for the scheme. This was fully funded by the T.I.I. The Council's in-house design team did not currently have the capacity to prepare all documentation required for this scheme.

N65 Carrigahorig Pavement Improvement Scheme

This scheme was progressing with design work continuing. It was a challenging project due to environmental and geotechnical issues.

R.496 Ballina

The condition of this road would be monitored, particularly in view of works on the Shannon Bridge Crossing Scheme.

Shannon Bridge Crossing

In reply to an enquiry by Cllr Bugler, it was noted that the main works contract would be awarded in Q4 2021 and subject to funding approval works would commence in Q1 2022.

R498 Road Realignment at Latteragh.

It was noted that a decision by An Bord Pleanála was awaited following the Oral Hearing held in December, 2020.

Roadside Trees/Hedges

It was noted that hedgecutting was currently banned due to the wildlife nesting season.

Road Opening Licences

The quality of reinstatement works carried out following the issue of a Road Opening Licence was closely monitored by the respective Districts.

Bus Routes

It was clarified that the main bus routes from Cork to Dublin and Dublin to Limerick had not been discussed at the deputation with Minister Ryan.

Planning.

Water Connection Fees.

Cllr S. Morris referred to the cost of connection fees imposed by Irish Water on new developments which were a deterrent to applicants. There was no appeal process to these costs and Cllr Morris asked that this matter be examined. Mr. E. Lonergan, A/DOS, advised that this was a national issue and he was aware that it was being examined at County and City Management Association (CCMA) level.

Cluster Developments

In response to an enquiry by Cllr P. Bugler, Ms. N. O'Connell, Senior Planner, confirmed that positive feedback was being received on cluster developments and a communications strategy would be focused on to promote such developments.

Preplanning Meetings

In response to a request by Cllr MI FitzGerald that face-to-face preplanning meetings would be reintroduced, it was confirmed that these meetings were being facilitated on a limited basis and that the matter was being kept under review.

Fire & Emergency Services

Borrisokane Fire Station

In response to an enquiry by Cllr Hannigan, Mr. Dave Carroll, C.F.O., confirmed that a property adjacent to Borrisokane Fire Station had been purchased with a view to being developed by the Fire Service once funding was approved.

Civil Defence

Cllr P. English complimented the Civic Defence on their continued support to the HSE during the Covid 19 pandemic.

Library & Cultural Services

Clonmel Library

Mr. B. Beck, A/Director of Services, confirmed that funding had been

provided to progress to the design for a new Library at the current location in Mick Delahunty Square, Clonmel. The tender process would commence for the design stage, following which the Part 8 process would be initiated and once complete an application for funding would be submitted to the Department. Clonmel Borough District members would be kept updated on this project.

Finance & Information Technology

Annual Financial Statement (AFS)

Mr. Liam McCarthy, Head of Finance, advised members that the AFS would be presented to the members at the May Plenary Meeting.

Small Business Assistance Scheme for Covid

Members were advised of the introduction of a grant for businesses who were not eligible for the Covid Restrictions Support Scheme (CRSS), the Failte Ireland Business Continuity grant or other direct sectoral grant schemes. Applications for this scheme were to be submitted by the 21st April, 2021.

Covid 19 Waiver of Commercial Rates

Mr. McCarthy advised members that criteria to qualify for the Waiver Scheme for 2021 was more restrictive than the previous scheme with certain categories of premises excluded. The closing date for submissions or appeals for the Scheme was the 20th April, 2021.

Outdoor Dining Enhancement Scheme

It was noted that details of this scheme had not yet been received and members would be notified when details were available.

Item 7.2

Draft Annual Report 2020

The draft Annual Report as circulated was noted and the final version of the Annual Report would be listed on the agenda for the May Meeting for adoption.

Item 7.3

Tipperary Joint Policing Committee Annual Report 2020

The Tipperary Joint Policing Committee Annual Report 2020 had been circulated to the members and was noted.

Item 8.1

Agree dates for Councillor Workshops

The following workshop dates were agreed: -

Regional and Local Roads Allocations : Royal Site Bids – Rock of Cashel

- 28th April, 2021 commencing at 10 a.m.

Draft County Development Plan

- Thursday 10th June

- Tuesday 15th June
- Tuesday 22nd June
- Tuesday 29th June

Mr. G. Walsh, Meetings Administrator, advised members that a request had been received from Eirgrid to make a presentation to members as part of the consultation process on "Shaping our Electricity Future". It was agreed that this presentation would be taken at the Draft County Development Plan Workshop on the 29th June, 2021 subject to the availability of Eirgrid.

Item 9.1

Consideration of C.E. Orders for the period to 31st March, 2021

Chief Executive Orders and Delegated Officers Orders for the period to 31st March, 2021 were noted.

Item 10.1

Notice of Motion "Jigsaw Mental Health Programme for Tipperary."

Motion 10.1 (Ref. 2080) was proposed by **Cllr. Pat English**

"That Tipperary County Council look for clarification from Minister Mary Butler, T.D., Minister of State for Mental Health, on the continued delays and obstacles to the roll out of the Jigsaw Mental Health Programme for Tipperary. Also, will she confirm why there are delays with the new services based out of Thurles and in particular to the uncertainty about the provision of staff Outreach Jigsaw Hubs in both Clonmel and Nenagh".

The motion was seconded by **Cllr. D Dunne**

Cllr English acknowledged that an update on Jigsaw services in Tipperary had been circulated to members. However, he had concerns regarding the possibility that outreach centres that were initially proposed for Nenagh and Clonmel could be replaced by online support.

Mr. P. Slattery, D.O.S., advised that he had sought clarification from the Chief Executive of Jigsaw on the concerns raised by Cllr English and he would circulate the response once received.

Cllr P English requested that the motion would be deferred to the May Meeting and this was agreed

Item 10.2

Notice of Motion 5G in County Tipperary

Notice of Motion Ref 1840 was proposed by **Cllr. P. English.**

"That Tipperary County Council opposes the testing and roll out of 5G in County Tipperary and call on COMREG to deny licencing for the roll out of the 5G and furthermore that this Council calls on the Minister for Communication, Climate Change and the Environment, to establish the facts about the radiation impact of 5G on the environment and human health with references to the current global scientific knowledge available".

The motion was seconded by **Cllr. N. Dennehy.**

Cllr Smith, Cathaoirleach, advised members that this motion had been deferred at the February, 2020 Plenary Meeting to allow the holding of a workshop with the relevant experts to advise members on the health effects of 5G. A workshop had been held on the 29th March, 2021 at which the Environmental Protection Agency (EPA) made a presentation to members. The Cathaoirleach was aware that a number of members had received correspondence from persons with concerns on the health implications of 5G and who wished the Council to accept a presentation from persons nominated by them.

He informed members that this matter had been discussed by the Corporate Policy Group (CPG) and it was their decision to proceed and have the debate on the motion submitted by Cllr English.

Cllr English stated that he was disappointed at the decision by the CPG and requested that a further workshop would take place at which both sides of the debate on 5G technology would be presented. There were a number of people who were qualified to make a presentation to the members and provide a much needed balance to the debate and he proposed Prof. Tom Butler of UCC as a suitable person to do this. Prof. Butler had studied the dangers and side effects of 5G and had expressed concerns on the health implications and had given talks throughout Ireland and the EU. They would allow the members to make an informed decision on the impact of 5G on the public health of people in Tipperary.

Cllr N. Dennehy stated that the EPA stated that they were not the ones that set the upper level safety barometers that this was done by private companies and his concern was that these companies had vested interests.

The Cathaoirleach said that any Councillor could speak to persons in a private capacity in relation to their concerns on 5G. He was aware that Prof. Butler had written a number of papers on 5G in a private capacity and not under the authority of University College Cork. A workshop had been held, a presentation had been given by the statutory body EPA and a decision had been made by the CPG to proceed with the motion. He proposed to proceed and obtain the members decision on the motion, whether they were for or against the motion.

Cllr Marie Murphy indicated she would support the motion on the "precautionary principle".

Mr. Joe MacGrath, Chief Executive, informed members that he respected their views and concerns on the issue. It was agreed the motion would be placed on the agenda following the workshop. At the workshop the EPA had outlined the position and Mr. MacGrath acknowledged the request for a further workshop to hear opposing views. However, he asked members to consider the message that the motion conveyed. The future of rural areas which was underpinned by the recent launch of "Our Rural Future", the government policy for rural Ireland for 2021 to 2025. This future for rural areas was subject to the availability of broadband and good telecommunications, mobile phones etc. The content of the motion, in his opinion, would have the potential to send a negative message in relation to the extent this county was open for business. The Chief Executive

voiced his strong concerns that if such a Notice of Motion was passed, the implications and message it would send out in relation to our future desire, particularly as a rural county, to see rural hubs delivered, working from home facilitated, all underpinned by good communications. He asked members to consider the role of Tipperary County Council in this issue, aside from the possibility of planning applications, some of which may be exempted development if using existing antennae or masts; this would be the extent to which Tipperary County Council would be involved in the process. The rollout of 5G and future rollouts of broadband would not be within the remit of this Council.

The Chief Executive asked the members to be very conscious of the potential negativity of the message that might be conveyed by passing the Notice of Motion.

Members debated the motion at length expressing opposing views on the motion and the need for a further workshop.

Cllr S. Ambrose proposed that the Council would invite a nominated person, namely Professor Tom Butler, to make a presentation to members on the potential risks of 5G technology and this was seconded by **Cllr D. Dunne**.

The Cathaoirleach called for a vote on the proposal of Cllr Ambrose. The Meetings Administrator proceed to take a vote on the proposal as follows:-

	COMHAIRLEOIR	FOR	AGAINST	ABSENT	ABSTAIN
1	Ambrose, Siobhán	√			
2	Anglim, Micheál	√			
3	Black, Tony	√			
4	Bonfield, Fiona		√		
5	Bourke, Kieran		√		
6	Burgess, Declan			√	
7	Bugler, Phyll	√			
8	Carroll, John		√		
9	Coonan, Noel J.		√		
10	Crosse, John	√			
11	Darcy, Ger		√		
12	Dennehy, Niall J.	√			
13	Dunne, David	√			
14	English, Pat	√			
15	Fitzgerald, John		√		
16	Fitzgerald, Mark		√		
17	Fitzgerald, Michael	√			
18	Goldsboro, Imelda		√		
19	Hanafin, Seamus		√		
20	Hannigan, Joe		√		
21	Hourigan, Mary		√		
22	Kennedy, Roger	√			
23	Lee, Shane		√		

24	Lowry, Michael		√		
25	McGrath, Hughie			√	
26	McGrath, John			√	
27	McGrath, Máirín	√			
28	Molloy, Richie	√			
29	Moloney, Andy			√	
30	Moran, Eddie		√		
31	Morris, Seamus			√	
32	Murphy, Marie	√			
33	Murphy, Michael	√			
34	O'Meara, Kevin		√		
35	O'Meara, Michael		√		
36	Ryan (Shiner)	√			
37	Ryan, Jim	√			
38	Ryan, Peter		√		
39	Ryan, Sean		√		
40	Michael Smith		√		
	TOTALS	16	19	5	0

The Meetings Administrator noted that there were 16 votes for, 19 against and 5 absentees. He deemed the proposal defeated.

The Cathaoirleach then called for a vote on Motion Ref. 1840.

The Meetings Administrator proceeded to take a vote on the following motion:-

“That Tipperary County Council opposes the testing and roll out of 5G in County Tipperary and call on COMREG to deny licencing for the roll out of the 5G and furthermore that this Council calls on the Minister for Communication, Climate Change and the Environment, to establish the facts about the radiation impact of 5G on the environment and human health with references to the current global scientific knowledge available”.

	COMHAIRLEOIR	FOR	AGAINST	ABSENT	ABSTAIN
1	Ambrose, Siobhán	√			
2	Anglim, Micheál		√		
3	Black, Tony		√		
4	Bonfield, Fiona		√		
5	Bourke, Kieran		√		
6	Burgess, Declan			√	
7	Bugler, Phyll		√		
8	Carroll, John		√		
9	Coonan, Noel J.		√		
10	Crosse, John		√		
11	Darcy, Ger		√		
12	Dennehy, Niall J.	√			
13	Dunne, David		√		
14	English, Pat	√			
15	Fitzgerald, John		√		

16	Fitzgerald, Mark		√		
17	Fitzgerald, Michael	√			
18	Goldsboro, Imelda		√		
19	Hanafin, Seamus		√		
20	Hannigan, Joe		√		
21	Hourigan, Mary		√		
22	Kennedy, Roger	√			
23	Lee, Shane		√		
24	Lowry, Michael		√		
25	McGrath, Hughie			√	
26	McGrath, John		√		
27	McGrath, Máirín		√		
28	Molloy, Richie	√			
29	Moloney, Andy			√	
30	Moran, Eddie		√		
31	Morris, Seamus			√	
32	Murphy, Marie	√			
33	Murphy, Michael				√
34	O'Meara, Kevin		√		
35	O'Meara, Michael		√		
36	Ryan (Shiner)	√			
37	Ryan, Jim		√		
38	Ryan, Peter		√		
39	Ryan, Sean		√		
40	Michael Smith				
	TOTALS	8	27	4	1

The Meetings Administrator noted that there were 8 votes for, 27 against, 4 absentees, 1 abstention. He deemed the motion defeated.

Item 12.1

Notice of Motion **Grant Scheme for** **broken septic** **tanks or sewage** **treatment plants**

Motion 12.1 (Ref. 2106) was proposed by **Cllr. Tony Black**

“That Tipperary County Council write to the Minister for Housing Darragh O’Brien, TD and urge that his department establish a fund or grant scheme to solve the issue of broken septic tank or sewage treatment plants that service DPI housing estates or other estates that the Council are being prevented from taking in charge. Too many estates are having to use their bond money to have pipes and sewers pumped out and having old and unsuitable treatment plants repaired. In this county we can use Dún nÓr in Donaskeigh as an example. Having sewage coming up through drains and manholes is the stuff of nightmares for residents and we as a council should be urging the Department and the government to help these stranded residents in every way we can”.

The motion was seconded by **Cllr. D Dunne**

The response was noted as follows: -

If the members agree, Tipperary County Council would write to Deputy Darragh O’Brien, Minister for Housing, Local Government and Heritage requesting that an annual maintenance grant was established by the

Department of Housing, Local Government and Heritage and allocated to the relevant duty holders or residents associations to fund the operation and maintenance of Developer Provided Infrastructure (DPI) serving residential housing estates.

It was also noted that a national Multi-Annual DPI Resolution Programme had been established by the Department of Housing, Local Government and Heritage which aims to co-fund the long-term sustainable resolution of DPI estates with Irish Water and other stakeholders, including the decommissioning of DPIs and connection to the Irish Water network or the upgrading of the onsite treatment plant. Tipperary County Council was actively engaging with the Department with respect to the DPIs in Co. Tipperary. The current three year programme had assigned €26 million to the resolution of this national legacy issue.

A number of members spoke in support of the motion and Cllr Ml. FitzGerald asked that the motion would also be forwarded to Irish Water for consideration.

It was agreed that the motion would be forwarded to Deputy Darragh O'Brien, Minister for Housing, Local Government and Heritage and to Irish Water for consideration and response

Item 12.2

Notice of Motion **Strategic Rail** **Review**

Motion 12.2 (Ref. 2108) was proposed by **Cllr Ann Marie Ryan Shiner.**

“That Tipperary County Council write to the Minister for Transport, Tourism and Sport, Eamon Ryan, to request that the Limerick Junction to Waterford Rail Line be included in the forthcoming Strategic Rail Review. The Limerick Junction to Waterford Rail Line has suffered from years of underinvestment, however, in light of the climate crisis and the recently adopted Climate Action and Low Carbon Development Bill 2021, it is vital that the potential of the rail line is fully examined, including its potential to service freight to Rosslare Port and its connectivity to Foynes Port”.

The motion was seconded by **Cllr. D. Dunne**

Cllr M. Smith requested that the Limerick to Ballybrophy Line would be included in the motion.

Cllr. Marie Murphy quoted the following extract in relation to public transport from the Cahir Local Area Plan and asked that this would be included in any communication being sent to the Minister.

“The Limerick Junction to Waterford Railway Line is a key enabling infrastructure to support the economic development of towns along the Limerick/Waterford economic corridor, supporting access to jobs and facilitating the development of a collaborative tourism initiative. It is a regional policy to safeguard and enhance this railway corridor to support the development of the southern region and connectivity between Limerick and Waterford.”

It was agreed to forward the motion and include the extract from the

Cahir Local Area Plan 2021-2027 in a letter to Minister Eamon Ryan for consideration and response.

Item 12.3

Notice of Motion

ASD Units in Schools

At the request of Cllr S. Ryan it was agreed that Motion 12.3 (Ref 2115) would be deferred to the May Meeting of Tipperary County Council.

“That Tipperary County Council calls on the Minister for Education Norma Foley TD to provide additional supports to ASD units in schools so that children with special educational needs can enrol in the nearest possible school with an ASD unit. Such a move would make the process of enrolment easier for children and parents”.

Item 13.1 – 13.6

Correspondence

Correspondence circulated was noted: -

- Correspondence dated 1st March, 2021 from Cathaoirleach of Laois County Council re. Land Development Agency Bill
- Reply dated 2nd March, 2021 from Office of Minister of State re. Agri Kids Be Farm Safe Presentation
- Reply dated 11th March, 2021 from Office of the Minister for Foreign Affairs re. Pat Finucane (NOM Ref. 2021)
- Reply dated 15th March from Office of Minister for Children, Equality, Disability, Integration & Youth re. Mother and Baby Homes (NOM Ref. 2049)
- Reply dated 23rd March, 2021 from Office of the Minister for Housing, Local Government and Heritage re. Land Development Agency Bill (NOM Ref. 2075)
- Reply dated 1st April, 2021 from Chief Officer, HSE South East Community Healthcare re. Presentation to Tipperary County Council on Covid-19 and other service matters across the South East Hospital Group

Item 14.1 – 14.7

Resolutions from other Local Authorities

The following resolutions from other Local Authorities were noted by the members: -

Dún Laoghaire-Rathdown County Council

That Dún Laoghaire-Rathdown County Council, recognising the scale of the Housing Crisis, reaffirms its commitment to work with Government and all relevant agencies towards delivering new housing units and in particular ensuring that sufficient Social and Affordable housing is built for those in need of same.

Recognising, however, its responsibility to use Dún Laoghaire-Rathdown property in the best interests of society this Council rejects the provisions contained in the Land Development Agency 2021 Bill published by the Government removing the role of the elected members of Local Authorities in approving the transfer of sale of lands to the Land Development Agency.

The Council further agrees to write to the Minister for Housing, Local Government and Heritage urging a removal of that provision and to ensure that elected Councillors retain the right to control such sales or transfers and to be able to prepare and plan for appropriate housing delivery on Council owned lands. The Council further agrees to circulate

this motion to each Local Authority and the Association of Irish Local Government requesting their support for this.

Galway County Council

I call on Galway County Council to make a formal submission to the Minister for Housing Local Government & Heritage outlining our complete opposition to the proposed provisions of the Land Development Agency Bill 2021.

The proposed removal of the Section 183 reserved function of Elected Members in relation to the disposal of local authority held land to the LDA as provided for in Part 7 Section 56 of the bill is unacceptable and an affront to local democracy. As advocates for the empowerment of local government, we can never support or accept any diminution in the reserved functions and powers of elected Councillors.

I also have concerns regarding the potential long-term implications for local authorities in delivering social and affordable housing on local authority held land due to the extensive remit of the LDA. I believe that this is a major battle in our ongoing fight to preserve the local democratic function in the face of ever increasing centralism.

Kerry County Council

That we the members of Kerry County Council oppose the introduction of the Land Development Agency Bill.

Limerick City & County Council

That, Limerick City and County Council request Iconic Newspapers Ltd. To recognise the National Union of Journalists and engage with the NUJ worker representatives to address concerns of their employees working in the Limerick Leader newspaper.

Louth County Council

Calling on the Minister of Housing and or the Oireachtas members to amend the LDA Bill to remove S.49 and 56 of the bill as it is ultra virus the programme of Government and is a direct stripping of Local Government Councillors executive powers.

Mayo County Council

Mayo County Council wishes to formally outline its complete opposition to the proposed provisions of the Land Development Agency Bill 2021. The proposed removal of the Section 183 reserved function of Elected Members in relation to the disposal of land authority held land to the LDA as provided for in Part 7 Section 56 of the bill is unacceptable and an affront to Local Democracy. As advocates for the empowerment of local government, we can never support or accept any diminution in the reserved functions and powers of Elected Councillors.

Wicklow County Council

That the members of Wicklow County Council call on the Government to reinstate, in the Land Development Agency Bill, the legal requirement that Councillors must consent to the sale of all public land in the ownership of the Council by way of a Disposal Motion (Section 183) voted for by a

majority of Councillors in public session.

Members passed a Vote of Sympathy to the following: -

Item 15.1

Votes of Sympathy

- Mairead Moloney, Tipperary-Cahir-Cashel Municipal District on the death of her father Denis Shanahan.
- Royal family on death of Prince Philip, Duke Edinburgh.
- Family of Sean Hogan, former employee of Clonmel Corporation.

Votes of Congratulations

Members passed a Vote of Congratulations to the following: -

- John T. Egan, Newcastle on his charity fundraiser for Pieta House.
- Ben Banaghan, Puckane, on his charity fundraiser for Alannah Sheehan and Mental Health Ireland.
- Dorothy Wall, Fethard, on her contribution to the Ireland Women's Rugby Team in their victory against Wales in the Six Nations Championship.
- Orla O'Dwyer, Cashel, on her contribution to the Brisbane Lions reaching the AFLW Grand Final.
- Daire Lynch, Clonmel Rowing Club, on his 2nd placement in the Men's Single Scull C Final at the European Rowing Championship in Varese, Italy.
- John Nallen, Hotel Minella, on his association with the winning horses Minella Times in the Grand National and Minella Indo in the Cheltenham Gold Cup.

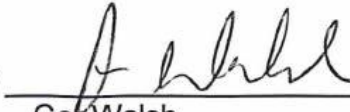
Item 16.1

Any Other Business

There were no items raised.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date: