

**Minutes of January Meeting of Tipperary-Cahir-Cashel Municipal District held in the Council Chamber, Civic Offices, Tipperary Town and hosted remotely on Monday 22<sup>nd</sup> January 2024 at 11am**

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**Members Present:** Councillor Declan Burgess, Cathaoirleach  
Councillor Micheál Anglim  
Councillor Tony Black  
Councillor John Crosse  
Councillor Roger Kennedy  
Councillor Máirín McGrath  
Councillor Andy Moloney  
Councillor Marie Murphy  
Councillor Annemarie Ryan (Shiner)

**Officials Present:** Ms. Sharon Kennedy, District Director  
Mr. Anselm McGowan, Administrative Officer  
Mr. James Murray, Senior Roads Engineer  
Mr. James Swords, District Engineer  
Mr. Richard Power, Executive Engineer  
Mr. Frank Cussen, Executive Engineer  
Mr. Michael Begley, Administrative Officer  
Ms. Adeline Walsh, Staff Officer

**LAWPRO**

Ms. Ruth Hennessy, Executive Scientific Officer  
Ms. Maggie Morrissey, Senior Community Water Officer

**Environment & Climate Change Directorate**

Mr. Denis Holland, Senior Engineer  
Ms. Orla Kelly, Administrative Officer

**Planning**

Ms. Lauren Butler Ryan, District Planner

**Apologies** Councillor Michael FitzGerald  
Councillor Mary Hanna-Hourigan

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The Cathaoirleach, Councillor Declan Burgess, opened the meeting and welcomed everyone to the January meeting. Mr. Anselm McGowan, District Administrator, commenced the meeting with the meeting prayer. He called the roll and confirmed that he received apologies from Councillor Mary Hanna-Hourigan. Councillor Murphy wanted to pass on apologies from Councillor Michael FitzGerald. Councillor Roger Kennedy proposed a vote of sympathy on the passing of Councillor Michael FitzGerald mother June FitzGerald. This was unanimously agreed by the members.

**1.1 Disclosures/Conflicts of Interest**

There were no matters notified to the meetings administrator.

## **2.1 Minutes of December Meeting of Tipperary-Cahir-Cashel Municipal District held on 19<sup>th</sup> December 2023**

The minutes of the Tipperary-Cahir-Cashel Municipal District December meeting held on 19<sup>th</sup> December, 2023 were adopted on the proposition of Councillor Roger Kennedy seconded by Councillor Andy Moloney.

### **Matters arising from the minutes**

Councillor Marie Murphy requested an update in relation to the Cahir project at Castle Court Hotel particularly if a contractor has been appointed and when will they be on site. Mr. Frank Cussen, Project Engineer confirmed that Tony Kirwan Civil Engineering Waterford was awarded the contract and it is hoped that the contractor signing will be this week.

### **3.1 To consider Chief Executive's Report for the Conservation, refurbishment and change of use from former Tipperary Town Courthouse and Bridewell to adult education, office and ancillary spaces.**

The Cathaoirleach welcomed Ms. Lauren Butler Ryan, District Planner and wanted to thank Frank Cussen and Michael Begley for all their work on the project which will bring back into use a vacant and derelict building. Ms. Butler Ryan presented the Chief Executive's Report to the Members and confirmed that there were 7 submissions made within the submission period which closed on the 15<sup>th</sup> January, 2024. She confirmed that 5 submissions were received from third parties including Mary Alice O'Connor, Tipperary Revitalisation Heritage Representative, Carmel Fox, Tipperary Revitalisation Chairperson, Paul O'Callaghan, Tipperary Tidy Towns, Maura Edmonds, Murgasty and Catherine Fogarty, St Michael Street. The submissions were broadly supportive, however some expressed disappointment at the loss of the Court Service. The application was referred to the following prescribed bodies; Fáilte Ireland, An Taisce, The Heritage Council, An Chomhaile Ealaion, Inland Fisheries Ireland, Uisce Eireann and the Department of Housing, Local Government and Heritage. Referrals were also sent to internal sections within the Council for comment and 2 submissions were received, Uisce Eireann and the Department of Housing Local Government and Heritage. The planning application was assessed in accordance with the Tipperary Town and Environs Development Plan, 2013 as varied and the land is zoned for social and public land use and the land use zoning objective is "To provide and improve Social and Public facilities". She confirmed that there is no archaeological related concerns or flood risk. She confirmed that there are no changes on foot of the submissions and there are 7 conditions attached which relate to the protected status of the building, a Bat Survey be undertaken and a connection agreement with Uisce Eireann.

Councillor Annemarie Ryan (Shiner) thanked Ms. Butler Ryan for her report and noted that this is a key aim of Tipperary Town Revitalisation to sensitively restore the Court House and Bridewell buildings. She stressed the importance of

continuing to liaise with the Court Service to try and bring court services back to Tipperary and she gladly proposed the Part 8. Councillor Tony Black had similar sentiment and it was great to see the buildings being brought back into use. He seconded the proposal. Councillor Roger Kennedy wanted it noted that he has a conflict of interest because he is a member of the board of MooreHaven, however he wanted to thank everyone involved including Frank Cussen and James Swords and it demonstrates the possibility of what can be done. The Cathaoirleach thanked the Members and noted that it was wonderful news for Tipperary Town.

Ms. Sharon Kennedy, District Director acknowledged the work and thanked Tipperary Town Revitalisation, the Planning team and the Members for their cooperation. She confirmed that this approval allows us to move forward and seek funding. In relation to the court sittings she confirmed that they will continue to engage with the appropriate bodies.

On the proposition of Councillor Annemarie Ryan (Shiner), seconded by Councillor Tony Black it was resolved:

*"That having considered the Chief Executive's Report dated 17<sup>th</sup> of January, 2024 in accordance with Section 179 of the Planning & Development Act 2000 as amended, for the proposed Part 8 Development for the conservation, refurbishment and change of use from former Tipperary Town Courthouse and Bridewell (Protected Structures) to adult education, office and ancillary spaces. Tipperary-Cahir-Cashel Municipal District decide that the proposed development be carried out as recommended in the Chief Executive's Report."*

### **3.2 Environment & Climate Action Directorate**

The Cathaoirleach welcomed Mr. Denis Holland, Senior Engineer and Ms. Orla Kelly, Administrative Officer, Environment & Climate Change Section to the meeting. Mr. Holland thanked the members and reminder them of the workshop scheduled on the 1<sup>st</sup> February regarding the Draft Climate Action Plan and that the meeting report should be taken in conjunction with the Plenary Report last Friday week. Councillor Murphy thanked Mr. Holland and asked if there are any plans for a Mattress Amnesty, Bulky Goods Collection and Roadside Anti-Litter Campaign in 2024 because it was very successful last year with 552 mattresses disposed of correctly. She also requested further details in relation to the 40 septic tank inspections and asked for details of the changes to the Scheme. Councillor Kennedy thanked the Directorate for the report and requested details in relation to the Climate Action Fund. He commended Tipperary Town Revitalisation for the Community Energy Plan for Tipperary town which was launched during the week and sees €30 million leaving the town per annum in energy costs and the plans to retain this money in the town by making simple upgrades which could save 10% and would keep €3 million in the town. He noted that it was a very interesting programme and that larger works were needed for bigger savings. However, he was disappointed that only two Councillors were present on the night.

Councillor Ryan Shiner referred to the derelict site legalisation and local authority powers to impose a levy and she asked if this levy was automatically applied to sites on the register, referring in particular to 9 Main Street, Tipperary town. Councillor Moloney noted that there is a public perception out there that the local authority is responsible for Uisce Eireann and this needs to be corrected. He referred to the Part 8 required for the extension to Cahir graveyard and noted that there is a path which is 10 yards short to link up to the existing laneway to the old section of the graveyard. He recommended that Council officials should talk to the Convent of Mercy. Councillor McGrath referred to the household waste survey and asked when was the survey undertaken and are the surveys still ongoing because she noted an upsurge in illegal dumping in mountainous areas. She also noted illegal use of the big belly bin and asked if the opening could be restricted. She thanked the Environment Section for the information leaflet on amenity sites which was received in all homes at the beginning of the year. She also asked about the clothes pods at village bring centres because she noted that after Christmas when the receptacles were full that clothes were being dumped beside them.

Councillor Burgess wanted to thank John O'Neill, former Dog Warden and wanted to wish him well in his new role. He noted a rise in dog fouling and requested a new dog fouling campaign. He referred to successful campaigns in Galway and suggested Tipperary would run a similar campaign. He asked if the Environment Section had considered a columbine wall in Cormac's Cemetery. He also referred to the Household Waste Survey and asked if there were plans to carry out more in 2024. He also wanted to thank Michael Begley for the work on the Community Energy Plan for Tipperary Town and noted that it was a very meaningful plan. He wanted to highlight that the closing date for expression of interest for the Climate Action Fund is the 27<sup>th</sup> February and he commended Maria O'Donnell who has done great work engaging with groups. Councillor Burgess referred to the vacant and derelict houses on the Golden Road, Cashel and asked if they could be tidied up and if they are on the Derelict site register.

In response Mr. Holland acknowledged the support of the Members and the positive engagement. In relation to Councillor Murphy's comments he acknowledged that they had good success in 2023 with anti-dumping initiatives and it would be envisaged that these schemes would run again in 2024 along with other awareness campaigns. The change to the septic tank scheme is minimal and includes that there is no longer a requirement to register the septic tank. The areas for inspection are set out as part of the National Inspection Programme by the EPA. He thanked Councillor Kennedy for his comments and advised that dereliction is a priority for the environment section. He confirmed that the Chief Executive has set up an inter sectional working group to focus on vacancy and dereliction with staff from Planning, Housing and the District on the group. He noted that the collection of the derelict site levy is difficult given that there may be issues with ownership and unregistered properties. Mr. Holland confirmed that the Household Waste Surveys will continue in 2024 and added that it would not be productive to release the survey result to the public. He confirmed that he would follow up in relation to the clothes bins and noted that

Christmas is a very busy time at civic amenity sites. He noted that columbine walls are being considered as part of any new proposal however they are expensive to install retrospectively and he noted that there is not much demand at present. Ms. Kelly confirmed that a dog fouling campaign is being put together as part of an awareness campaign around responsible ownership. Councillor Moloney noted that the opening on the Big Belly Bins can be restricted with a bolt on the inside. Councillor Crosse referred to Lattin Graveyard and also requested an update in relation to Solohead graveyard. Mr. Holland asked Councillor Crosse to clarify if he was referring to Old or New Lattin Graveyard and he also confirmed that Solohead graveyard has been on the agenda for the last 40 years. He advised that there is a very high water table in the area therefore site suitability is an issue. Mr. Holland confirmed that it is a high priority and will keep Councillor Crosse updated. In relation to the septic tank inspection, Mr. Holland confirmed that they are carried out on a catchment basis not a specific area. Mr. Holland confirmed that a levy is applied once a property has been on the derelict site register for longer than a year.

The Cathaoirleach thanked Mr. Holland and Ms. Kelly and their team.

### **3.3 Local Authorities Waters Programme (LAWPRO)**

The Cathaoirleach welcomed Ms. Ruth Hennessy and Ms. Maggie Morrissey, LAWPRO to the meeting. Ms. Hennessy thanked the Cathaoirleach and the Members and made a presentation on the role of LAWPRO and that it is a shared service between Tipperary and Kilkenny County Council. She advised that LAWPROs role is to study the data from testing which is carried out by the EPA, Inland Fisheries, National Parks & Wildlife etc, identify issues and raise awareness. She confirmed that Catherine Seale has been employed to work with community groups on awareness and encouraging groups to apply for funding. Ms. Hennessy also advised that LAWPRO had secured €50 million funding from the Department of Agriculture to provide support to farmers to limit the impact agriculture is having on water quality.

Councillor Anglim thanked Ms. Hennessy and the LAWPRO Director of Service, Anthony Coleman who travelled to Donegal at the weekend to make a presentation at the LAMA conference. Councillor Murphy referred to the 46% decline of water quality between 2010-2015 and 2016 to 2021 and asked what were the main factors. Councillor McGrath also thanked Ms. Hennessy and Mr. Coleman and wished the team well in their work to get communities and farmers involved in water quality. She noted in particular that there is no water treatment plant in Newcastle and they are trying to promote the Blueway and tourism in the area which is difficult when state agencies are not doing their job. Councillor Moloney referred to a project the Tidy Towns are working on in the Inch Field with Second Year Students and asked if the closing date for funding had passed. He also noted that the local school is trying to achieve a marine green flag supported by AIBP. Councillor Kennedy referred to Councillor Murphy's comments regarding the deteriorated water quality and referred in particular to the severe flooding in June and July 2012 all over the country. He asked if the

impact of the flood washed the nutrients off the land. He also asked if there were studies on particular towns and villages to show the impact of the settlement on the water quality. He asked when the Agri Grant Scheme would be available. The Cathaoirleach echoed calls for treatment plants in areas which is halting development and Uisce Eireann need to deal with the issue particularly in Newcastle and Golden.

In response Ms. Hennessy advised that LAWPROs role is to analyse the data to establish the cause of the decline in water quality. They are using data from a number of sources and bringing the results to the agencies with the power to enforce like local authorities, the EPA, Inland Fisheries and National Parks and Wildlife. Ms. Hennessy advised Councillor Moloney that she would ask Catherine Seale to make contact and she may be able to provide advice to the Tidy Towns Group and to the school. She confirmed that there are a number of legacy forestry's which can be problematic although forestry protection measures are better than 30 years ago. She confirmed that the Agri Grant Scheme will be targeted at approximately 15,000 farmers in problem areas and they will be working with ASSAP Advisors, Teagasc and the Co-ops when rolling out the scheme.

The Cathaoirleach thanked Ms. Hennessy and Ms. Morrissey and the LAWPRO team.

### **3.4 District Engineer's Report**

Mr. James Swords, District Engineer referred to the report circulated with the Agenda and advised the Members that they have no budget yet and hope to bring the Schedule of Municipal Works to the Members in a workshop prior to the February meeting. He confirmed that the LIS Scheme is open and the closing date is Friday, 2<sup>nd</sup> February.

Councillor Crosse asked if there was any indication of the budget for the coming year and Mr. Swords advised that he hoped it would stay the same. Councillor Moloney referred to the 3 year programme and noted that we were in the third year of the programme. Mr. Swords advised that one or two jobs scheduled for year three were completed at the end of year two. He also confirmed that they would be starting work on the next three year programme at the end of the summer. Councillor McGrath thanked the District Engineer for the report and asked would there be any extra money available. Councillor Murphy acknowledged the large volume of work done in 2023 and she noted that LIS applicants in 2023 need not reapply which is welcome. However, she asked will the 2023 applications be prioritised. Councillor Ryan (Shiner) asked if there was any feedback on the 'stop and go' at Collegelands. The Cathaoirleach thanked the roads team for their work salting the roads and asked if there was scope to add local roads with high volumes of traffic. Councillor Crosse wanted to highlight the regional road from Tipperary Town to Nenagh which was previously salted and requested that it be put back on the salting routes. Councillor Black asked if

An Duiche, Scallagheen could be salted given that it is an estate with over 200 houses and an area with a high volume of traffic.

In response, Mr. Swords advised that he is unsure if the budget will match inflation and noted that costs are gone up 10% at least. He commented that he is hoping to get the third year completed however until he gets the final figure from the Schedule of Rates and roads allocation he is unsure. Regarding the LIS applications any previous applicants would have got a letter seeking further information and to reply if they were still interested. He also stated that additional points would be available for every year therefore previous applications would score higher. In relation to the 'stop and go' he confirmed that the traffic count is ending today and whilst there were delays setting it up he confirmed that it was a worthwhile exercise. He confirmed that the Tipperary Town/N24 side were on all green therefore they had priority and fixed lights would be more efficient. Once the data is analysed it will be sent to the TII for further consideration.

Mr. James Murray confirmed that the Council salts over 5,700 km of roads which is well above our neighbouring local authorities. He confirmed that it simply isn't possible to expand or alter the routes because changes are unhelpful to motorists. He also advised that regardless of whether the road is salted or not, a driver still has to drive to the conditions. Councillor Moloney referred to the recent storms and noted that any power outages were as a result of fallen trees and he requested that maintenance of road side ditches would be a priority. He also recommended that no council personnel should be expected to be out during a weather warning and advised that the playground in Cahir is always closed during a weather warning. He requested that a survey of road side ditches would be completed and noted that many trees are top heavy with ivy. Councillor Kennedy noted that the Cashel to Clonoulty road isn't salted, however commented that the bridge at Gooldscross was like a sheet of ice. He asked if locals could be provided with salt in order that they could spread it when required. He also commented that the footpath on the Dualla Road in Cashel was extremely dangerous from a health and safety aspect. Councillor Ryan (Shiner) supported Councillor Kennedy and asked if there was a local solution particularly at Christ the King and if we could apply for extra funding. Councillor Anglim asked when will the successful CIS applications be announced. Councillor Crosse supported his colleagues and he proposed that we write to the Department looking for more resources to make our roads safer during extreme weather events. Councillor McGrath supported that heavier trafficked roads should be salted particularly around schools; however, she did question the legality of locals salting local roads. She also asked are we currently at risk of not completing the current three year programme. Councillor Murphy wanted to support Councillor Moloney and the other speakers regarding maintaining the road side ditches and asked if the local authority and the ESB have powers under the Roads Act to serve a Notices on land owner/occupiers. She noted that there are some farmers who want to take out trees and asked if the District could assist with traffic management.

Mr. Murray agreed with the Members regarding the risk to crews and all staff where stood down at 7.30 a.m. yesterday. He confirmed that prior to any serious weather event that the Crisis Management Team of Tipperary County Council meets to consider the risks. Mr. Murray advised that there was a strong message on local media and on social media about the weather warnings. He noted that there are serious concerns around ash dieback and he highlighted the importance of pre event work. Regarding salting Mr. Murray advised that there are limitations on funding and by providing salt there are issues with liability and insurance, however during extreme events things might have to change. He advised that to take staff and put them on salting routes takes them away from other services.

The District Engineer advised Councillor Anglim that once the budgets are known they will be putting together a list for the CIS scheme. He also confirmed that there is a real fear that they will not be able to complete the roads programme. The Cathaoirleach seconded Councillor Crosse motion to write to the Department for extra funding.

### **3.3 District Administrator's Report**

The District Administrator's Report was circulated to the Members with the agenda and there were no questions from the Members.

### **4.1 Chief Executive/Delegated Officers Orders**

The orders were noted.

### **5.1 Councillor Declan Burgess (Ref. ID 2749)**

That this Council carry out the necessary upgrades to the Clonmel Road car park (next to Cormac's Cemetery/Leahy Park) in Cashel. In the interest of safety and enhancement that the public light that was installed a number of years finally gets connected and that the council carry out resurfacing and realignment of the car park here.

### **Reply**

This project will be considered for future funding application as suitable funding streams become available. The lighting standards in situ as currently configured are incompatible with supply. Any further lighting requirements will be included in the project scope.

This motion was seconded by Councillor Roger Kennedy.

### **5.2 Councillor Mairin McGrath (Ref ID 2750)**

That this Council would repair the footpaths on upper main street Ballyporeen, where the surface is poor and lifting.



## **Reply**

This section of footpath will be assessed and considered for inclusion in future footpath replacement works.

This motion was seconded by Councillor Marie Murphy.

### **5.3 Councillor Mairin McGrath (Ref. ID 2751)**

That this Council would work with the TII and the Clonmel Borough District to carry out safety measures to improve visibility at the junction at Suirhaul on to the N24 as it is poorly lit and dangerous for motorists.

## **Reply**

The N24 at this location is managed by Clonmel Borough District. Hence any funding and improvement works in conjunction with TII would need to be managed by that district. I will pass this motion to the Clonmel District for follow up.

This motion was seconded by Councillor Marie Murphy.

### **5.4 Mairin McGrath (Ref. ID 2649)**

That this Council would carry out traffic calming measures in Goatenbridge village to improve pedestrian safety between the car-park and the GAA grounds.

## **Reply**

An application was made for funding in 2024 for such works under the Safety Improvement Scheme. We await the outcome of the application.

This motion was seconded by Councillor Declan Burgess.

### **6.1 Votes of Sympathy/Congratulations**

- Mr. Eddie Cooney, King's Close, Clonmel, Co Tipperary

### **6.2 Votes of Congratulations**

There were no votes of congratulations.

### **7.1 Correspondence from Partnership Town of Weinstadt in Germany**

Noted


### **7.2 Response from NTA exploring possibility of extending the 355 bus route.**

Councillor Moloney expressed his disappointment in the response from Ms. Anne Graham, Chief Executive, National Transport Authority and proposed that the District write to Ms. Graham to request a meeting with a delegation from Tipperary Cahir Cashel Municipal District. This was agreed by the Members.

### **8.1 Any other Business**

There was no other business.

**This concluded the business of the Municipal District meeting.**

Signed/  Dated/ 26/02/'24  
Cathaoirleach

Signed/  Dated/ 26/02/'24  
District Administrator