

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF
TIPPERARY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES,
NENAGH, and Remotely Via Zoom
AT 11 AM on Monday 12th February, 2024.**

Present

Cllr. G. Darcy, Cathaoirleach.

Cllrs: Ambrose, S; Anglim, M; Bonfield, F; Burgess, D; Bugler, P; Carroll, J; Coonan, N; Fitzgerald, M; Hanafin, S; Hannigan, J; Kennedy, R; Lee, S; Lowry, M; McGrath, H; McGrath, J; McGrath, M; Moran, E; Morris, S; Murphy, Marie; O'Meara, M; Ryan, J; Ryan, S; Smith, M

Remote

Cllrs K. Bourke, Crosse, J; Dennehy, Niall P; Dunne, D; English, P; FitzGerald, J; Fitzgerald, Mark; Goldsboro, I; Hourigan, M. Hanna; Molloy, R; Moloney, A; Murphy, M; O'Meara, K; Ryan AM

Also Present

Mr. J. MacGrath, Chief Executive, Mr. M O'Connor, Mr. E. Lonergan, Ms. S. Kennedy, Director of Services, Mr. M. Connolly, Head of Finance, Mr. L. Brett, S.E., Mr. J. Nolan, S.E., Ms. A. M Devaney, Mr. Fergal O'Donnell, S.E.P., Ms. C. Lee, Climate co-ordinator, Mr. D. Dullaghan, County Librarian, Ms. A.M. Fleming, Biodiversity Officer, Mr. G. Walsh, Meetings Administrator.

Apologies

Cllrs T Black, P. Ryan.

Mr B. Beck, Director of Services.

Item 1.1

The Cathaoirleach welcomed all to the February Meeting of the Council.

**Welcome &
Introduction/Meetings Protocol**

He advised members present in the Chamber that their microphone had to be turned on when they spoke and referred members attending remotely of the protocol for remote meetings circulated with the agenda and asked members to observe the rules contained therein with regard to remote meetings.

The Meetings Administrator took a roll call noting that a quorum was present and commenced the meeting with the opening prayer.

Vote of Sympathy and adjournment

Cllr N. Coonan proposed a vote of sympathy to the wife and family of Mr. John Bruton, former Taoiseach. Mr. Bruton had been the youngest T.D. elected and became Minister for Finance at 33 years of age. Mr. Bruton had been conscious of a changing Ireland, he was passionate about the development of Europe and had reached out to Unions in Northern Ireland to progress the peace deal.

The Cathaoirleach also included the following votes of sympathy

Cllr S. Morris on the death of his sister Professor Patricia Morris Thompson, Cllr H. McGrath on the death of his sister Breda Walsh. Mrs. Mae Quinn, former member of Thurles Town Council and North Tipperary County Council on the death of her brother Eamon Meagher.

A minute's silence was observed and the meeting was adjourned for a short period as a mark of respect.

Resumption

Item 2.1 Disclosure/or Conflicts of Interest

Noted, no matters were notified to the Meetings Administrator

Item 3.1 Minutes of Council Meeting held on 12th January, 2024.

The Minutes of the January Monthly Meeting held on 12th January, 2024, were proposed by **Cllr. Sean Ryan**, seconded by **Cllr. S. Hanafin** and adopted.

Matters Arising

There were no matters arising.

Item 4.1 Approval to Attendance

It was proposed by **Cllr. R. Kennedy** seconded by **Cllr S. Ambrose** 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
Celtic Conferences – The Housing Crisis	2 nd to 5 th February, 2024	O'Donovans Hotel, Clonakilty, Co. Cork	Cllr. Niall Dennehy

Regions in Focus: Irish Regions Building Capacity to address the challenges of a changing Ireland	7 th & 8 th February, 2024	The Woodlands Hotel, Adare, Co. Limerick	Cllrs: - Máirín McGrath Noel Coonan
AILG – Annual Training Conference	14 th & 15 th February, 2024	Arklow Bay Hotel, Arklow, Co. Wicklow	Cllrs: - Michael Murphy Phyll Bugler Seamus Morris Máirín McGrath Kevin O Meara Michael Fitzgerald Marie Murphy Andy Moloney Richie Molloy John Carroll Kieran Bourke Sean Ryan Declan Burgess Noel Coonan Michael O Meara Siobhan Ambrose Mark Fitzgerald Mary Hanna Hourigan John Fitzgerald Michéal Anglim Joe Hannigan Niall Dennehy Imelda Goldsboro

It was proposed by **Cllr. R Kennedy** seconded by **Cllr S. Ambrose** “**That the Cathaoirleach Cllr G. Darcy would attend the Boston St. Patrick’s Day Parade in Boston on the 17th March, 2024.**”

It was proposed by **Cllr R. Kennedy**, seconded by **Cllr S. Ambrose** “**That the Training and Development Programme 2024 would be adopted**”

Proposed by **Cllr. R. Kennedy** seconded by **Cllr. S. Ambrose** and noted.

Item 4 .2

Reports on Conferences

Item 5.1

It was proposed by **Cllr M McGrath** seconded by **Cllr Marie Murphy** and resolved: -

Section 183
Notice -
Disposal of
property at
Monksgrange,
Co. Tipperary

“That in accordance with the provision of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of circa 0.18ha at Monksgrange, Co. Tipperary contained in Folio TY36706 to Mark Power and David Wachman in accordance with the terms of the Notice under the above section, as circulated on Thursday 1st February, 2024”.in accordance

The disposal was required to facilitate the rectification of a mapping error.

Items 5.2, 5.3,
5.4
Local Area Plans

Ms. Sharon Kennedy, D.O.S. thanked members, staff and the public for their engagement in the making of the Local Area Plans for Clonmel, Thurles and Nenagh. In excess of 13 meetings and workshops at Municipal District and Plenary level had been held during the process. A significant number of submissions had been received which had shown the level of public engagement in the process.

Mr. Fergal O’Donnell, S.E.P. gave members an overview on the process to date and summarised each of the three stages of engagement since the commencement of the process in November, 2022. The engagement had comprised

- Elected Members Workshops at each stage of the process
- Direct Engagement with state bodies
- Public Information Events in local libraries
- Dedicated Webpage for each Plan
- Targeted Letters sent to local community groups
- Advertised through the Public Participation Network
- Articles and Statutory Notices in Local Press
- Posters erected in the towns
- Social Media Channels

The draft Local Area Plans, Proposed Material Alterations and further modifications / amendments were now before the elected members for consideration. Mr. O’Donnell advised members that they may by Resolution: -

- Make the local area plan with all, some or none of the proposed material alterations.
- Further amend the proposed material alterations.
- Further amendments may only be made where they are minor in nature, do not adversely affect the integrity of a European site. Further amendments **cannot be made** where they refer to:
 - to an increase in the area of land zoned for any purpose, or
 - to an addition to or deletion from the record of protected structures.

It was then agreed to consider each plan separately.

Item 5.2
Clonmel Local
Area Plan 2024-
2030

Tipperary County Council commenced the process of preparing a new Local Area Plan (LAP) for Clonmel on 28th July 2023 with the publication of a Section 201 Notice and the Draft LAP. Once the new LAP was made and had effect, it would replace the Clonmel Town & Environs Development Plan 2013 (as varied). The Draft LAP was made available for a period of 6 weeks from 28th July 2023 to 11th September 2023 and submissions were invited from stakeholders and the public during this time. 119 submissions

and observations were received during the public consultation process on the Draft Plan. On 6th October 2023, in accordance with the requirements of s20(3)(c) of The Planning and Development Act 2000 (as amended), the Chief Executive Report (CE report) for the Draft Clonmel and Environs Local Area Plan 2024-2030 was shared with the elected members of Tipperary County Council.

Following further consideration it was proposed by **Cllr S. Ambrose** seconded by **Cllr J. Fitzgerald** and resolved: -

That, pursuant to the provisions of Section 20 of the Planning and Development Act 2000 (as amended) and having considered the following:

- ***The Draft Clonmel Local Area Plan (LAP) 2024-2030.***
- ***The Proposed Material Alterations to the Draft Clonmel Local Area Plan 2024-2030.***
- ***The Chief Executive's reports prepared pursuant to Section 20(3)(c) & Section 20(3)(k) of the Planning and Development Act 2000, as amended.***
- ***The Strategic Environmental Assessment (SEA) Environmental Report for the Draft LAP.***
- ***The Screening for SEA Report for the Proposed Material Alterations.***
- ***The Appropriate Assessment (AA) Natura Impact Report for the Draft LAP.***
- ***The Screening for AA Report for the Proposed Material Alterations.***
- ***The Strategic Flood Risk Assessment (SFRA) for the Draft LAP & and Proposed Material Alterations to date.***
- ***Screening for SEA and AA determinations in respect of the Draft LAP and Proposed Material Alterations to date.***
- ***Written submissions relating to SEA, AA and SFRA made during the Plan preparation process.***
- ***Ongoing advice on SEA, AA and SFRA from the Council's agents.***
- ***The final, consolidated Natura Impact Report***
- ***The final AA Determination.***

we the members of Tipperary County Council hereby agree to make the Plan in accordance with the recommendations and modifications set out in the Chief Executives Report on the Proposed Material Alterations circulated on 19th January 2024 and to proceed in accordance with Section 20 of the Planning and Development Act 2000 (as amended) to publish notice of the making of the Plan.

In proposing the Local Area Plan Cllr Ambrose commented that one off houses were an area of concern.

In seconding the Local Area Plan Cllr J. Fitzgerald referred to the need for caution pertaining to confidentiality clauses entered into with landowners of rezoned lands.

Cllr Ml. Murphy supported the adoption of the Local Area Plan, highlighting the concerns of residents in Moangarriff and Meadowlands around future developments in the area.

Ms. Sharon Kennedy, DOS, thanked the members for their comments and advised that the legal process was being carried out in relation to zoning and de-zoning of lands.

Item 5.3

Nenagh Local Area Plan 2024-2030

Tipperary County Council commenced the process of preparing a new Local Area Plan (LAP) for Nenagh on 28th July 2023 with the publication of a Section 201 notice and the Draft LAP. Once the new LAP is made and has effect, it will replace the Nenagh Town Development Plan 2013 (as varied). The Draft LAP was made available for a period of 6 weeks from 28th July 2023 to 11th September 2023 and submissions were invited from stakeholders and the public during this time. 37 submissions and observations were received during the public consultation process on the Draft Plan. On 6th October 2023, in accordance with the requirements of s20(3)(c) of The Planning and Development Act 2000 (as amended), the Chief Executive Report (CE report) for the Draft Nenagh Local Area Plan 2024-2030 was shared with the elected members of Tipperary County Council

Following consideration it was proposed by **Cllr J. McGrath** seconded by **Cllr S. Morris** and resolved: -

“That, pursuant to the provisions of Section 20 of the Planning and Development Act 2000 (as amended) and having considered the following:

- ***The Draft Nenagh Local Area Plan (LAP) 2024-2030.***
- ***The Proposed Material Alterations to the Draft Nenagh Local Area Plan 2024-2030.***
- ***The Chief Executive’s reports prepared pursuant to Section 20(3)(c) & Section 20(3)(k) of the Planning and Development Act 2000, as amended.***
- ***The Strategic Environmental Assessment (SEA) Environmental Report for the Draft LAP.***
- ***The Screening for SEA Report for the Proposed Material Alterations.***
- ***The Appropriate Assessment (AA) Natura Impact Report for the Draft LAP.***
- ***The Screening for AA Report for the Proposed Material Alterations.***
- ***The Strategic Flood Risk Assessment (SFRA) for the Draft LAP & and Proposed Material Alterations to date.***

- **Screening for SEA and AA determinations in respect of the Draft LAP and Proposed Material Alterations to date.**
- **Written submissions relating to SEA, AA and SFRA made during the Plan preparation process.**
- **Ongoing advice on SEA, AA and SFRA from the Council's agents.**
- **The final, consolidated Natura Impact Report**
- **The final AA Determination.**

we the members of Tipperary County Council hereby agree to make the Plan in accordance with the recommendations and modifications set out in the Chief Executives Report on the Proposed Material Alterations circulated on 19th January 2024 and to proceed in accordance with Section 20 of the Planning and Development Act 2000 (as amended) to publish notice of the making of the Plan”.

Cllr S. Morris commented on population trends from the Census that were considered when formulating the Local Area Plans not having regard to people having being moved into parts of the County through the Emergency Powers Act.

Item 5.4
Thurles Local
Area Plan 2024-
2030

Tipperary County Council commenced the process of preparing a new Local Area Plan (LAP) for Thurles on 28th July 2023 with the publication of a Section 201 notice and the Draft LAP. Once the new LAP is made and has effect, it will replace the Thurles Town Development Plan 2009 (as varied). The Draft LAP was made available for a period of 6 weeks from 28th July 2023 to 11th September 2023 and submissions were invited from stakeholders and the public during this time. 27 submissions and observations were received during the public consultation process on the Draft Plan. On 6th October 2023, in accordance with the requirements of s20(3)(c) of The Planning and Development Act 2000 (as amended), the Chief Executive Report (CE report) for the Draft Thurles Local Area Plan 2024-2030 was shared with all the Elected Members of Tipperary County Council.

Following further consideration it was proposed by **Cllr S Hanafin** seconded by **Cllr S. Ryan** and resolved: -

“That, pursuant to the provisions of Section 20 of the Planning and Development Act 2000 (as amended) and having considered the following:

- ***The Draft Thurles Local Area Plan (LAP) 2024-2030.***
- ***The Proposed Material Alterations to the Draft Thurles Local Area Plan 2024-2030.***
- ***The Chief Executive’s reports prepared pursuant to Section 20(3)(c) & Section 20(3)(k) of the Planning and Development Act 2000, as amended.***
- ***The Strategic Environmental Assessment (SEA) Environmental Report for the Draft LAP.***
- ***The Screening for SEA Report for the Proposed Material Alterations.***
- ***The Appropriate Assessment (AA) Natura Impact Report for the Draft LAP.***
- ***The Screening for AA Report for the Proposed Material Alterations.***

- ***The Strategic Flood Risk Assessment (SFRA) for the Draft LAP & and Proposed Material Alterations to date.***
- ***Screening for SEA and AA determinations in respect of the Draft LAP and Proposed Material Alterations to date.***
- ***Written submissions relating to SEA, AA and SFRA made during the Plan preparation process.***
- ***Ongoing advice on SEA, AA and SFRA from the Council's agents.***
- ***The final, consolidated Natura Impact Report***
- ***The final AA Determination.***
-

we the members of Tipperary County Council hereby agree to make the Plan in accordance with the recommendations and modifications set out in the Chief Executives Report on the Proposed Material Alterations circulated on 19th January 2024 and to proceed in accordance with Section 20 of the Planning and Development Act 2000 (as amended) to publish notice of the making of the Plan”.

Members voiced their appreciation at the level of consultation that had taken place throughout the process.

Item 5.5
Tipperary
County Council
Climate Action
Plan 2024 -2029

Mr. E. Lonergan, D.O.S, advised members that the draft LACAP had been prepared in collaboration with a range of local authority, community and sectoral stakeholders including; elected representatives, senior management and staff of the Council, the Public Participation Network, the Climate Action Regional Office, adjoining local authorities, business and community stakeholders and the public.

Ms. C. Lee, Climate Co-ordinator, made a presentation to the members. She noted that the ambition of the plan was that Tipperary County Council would, through the delivery of this LACAP and its Actions as they apply across all of its services and functions, support the National Climate Objective to pursue and achieve, by no later than the end of 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy in county Tipperary. The plan contained 100 Actions to assist in the delivery of the National Climate Objective which included:

- Inward/Organisational Actions to Decarbonise the Council's
- Outward focused Actions across Council functions and services that will enable other sectors and communities to decarbonise their own activities
- In the Decarbonising Zone support the rollout of a range of climate mitigation, adaptation and biodiversity measures

Active engagement had taken place during the plan making process and included 2 periods of public engagement, engagement with outward facing groups and input from the Members and SPC Members.

Members were being requested to adopt the plan with the modifications proposed.

Following consideration by the members it was proposed by **Cllr S. Ryan** seconded by **Cllr J. Carroll** and resolved:

“That, pursuant to the provisions of the Climate Action and Low Carbon Development (Amendment) Act 2021 as it amends the Climate Action and Low Carbon Development Act 2015, and having considered the following:

- **the Draft Tipperary Local Authority Climate Action Plan 2024 – 2029,**
- **the Chief Executive’s Report on Submissions received during the period of consultation period (circulated on 9th of January 2024), and,**
- **the SEA and AA Reports and Determinations, carried out in accordance with the requirements and regulatory provisions of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC)**

we the members of Tipperary County Council hereby agree to make the Tipperary County Council Local Authority Climate Action Plan 2024 – 2029 in accordance with the proposed modifications set out in the Chief Executive’s Report on Submissions”.

Members welcomed the Plan which outlined our aspirations and would be of benefit to all the citizens of Tipperary. Particular reference was made to decarbonise zone centres around Lisheen Mines, opportunities for the Littleton Labyrinth, the importance of retrofitting and the replacement of fossil fuels. The ambitious Plan brought positive actions to reduce carbon emissions and would be a benefit to us all.

In response to a query, members were advised that the Sustainable Tipperary website contained information regarding various funding streams available for communities and homeowners.

Item 5.6
Renewal of
Commitment to
the EU Covenant
of Mayors (COM)

Ms. Clare Lee, Climate Co-ordinator noted that the EU Covenant of Mayors for Climate & Energy was an initiative supported by the European Commission bringing together thousands of local governments that wanted to secure a better future for their citizens. By joining the initiative in 2015, the Council voluntarily committed to implementing EU climate and energy objectives.

The Renewal of Commitment to the EU Covenant of Mayors, was proposed by **Cllr S. Hanafin** seconded by **Cllr Marie Murphy**.

Item 5.7
Policy Principles
on Vertical
Deflections

The draft Policy Principles on Vertical Deflections had been circulated to the members.

Mr. L. Brett, S.E., gave a presentation to the members noting as follows: -

An Garda Síochána, as the Road Traffic Authority had the ultimate responsibility for speed control enforcement. Where road improvement opportunities arise, Tipperary County Council seek to implement control measures. Design Standards and Guidance emphasise the creation of an environment to encourage slower traffic in urban areas. This was achieved through the creation of an environment that was self-policing and

generated a feeling of neighborhood or commercial activity that gives priority to pedestrians.

Recent projects in Tipperary County Council had adopted this approach where significant hard and soft landscaping had been introduced to create a village environment that was pedestrian friendly and reduced speeds. Raised crossings were included to provide continuity of footpaths and reduce speeds at entries and exits from side roads and properties. This assisted the introduction of Safe Routes to Schools and other safety measures.

- Vertical deflections were normally incorporated into a wider traffic calming scheme, and were usually used in conjunction with other traffic calming measures such as reduced speed limits etc.
- Speed Bumps, Humps and Cushions are generally single purpose, i.e. they are only used to reinforce existing slow speeds in the carriageway.
- Raised Crossings and Tables can have a dual purpose in that they can also provide crossing locations for pedestrians and cyclists in areas of high demand.
- Speed Bumps, Humps and Cushions should not be incorporated in isolation from other traffic calming measures. Speed Bumps, Humps and Cushions have many drawbacks including noise, are not suitable for emergency vehicles and bus routes, and can cause damage to vehicles. Without an advance warning and maintenance of high visibility these can be hazards

Detailed discussion had taken place at a meeting of the Infrastructure SPC on 8th November, 2023, and the following policy principles were recommended with regard to the use of vertical deflections: -

- Vertical deflections (raised tables and raised pedestrian crossings) are a tool that can be used as part of an approved design.
- Where an issue has been identified, the full range of traffic calming measures shall be considered to promote a safer environment, and solutions identified as part of an approved design. Any traffic calming measure shall be in accordance with the design standards, applicable guidance available and any subsequent revisions. • (mandated in design documentation).
- Vertical deflections such as raised pedestrian crossings and raised tables can be used to reinforce existing low speeds of 50 km/h or less as part of an approved design. Other methods of traffic calming should be ruled out first. • (mandated in design documentation).
- Where possible, raised crossings shall be included to provide continuity of footpath levels, at exits/entrances off arterial routes. • to enhance and emphasise pedestrian safety.
- Raised tables can be provided where a high level of pedestrian usage is identified, in accordance with the methodology contained within design standards.
- Vertical deflections should not be provided on arterial routes, unless in exceptional circumstance

Cllr MI. O'Meara, Chair of the Infrastructure SPC, recommended the adoption of the policy as circulated to the members. The policy brought

clarity to the type of vertical deflections that could be used and in what circumstances they would be considered. The members of the SPC had strong interaction with the executive to bring forward the policy as presented.

A lengthy debate took place on the Policy. While members were in favour of a county wide policy, a number of members expressed their opposition to the proposal that speed bumps, speed ramps and speed cushions would not be used. They referred to situations where these were the only solution to slow down vehicles particularly in housing estates. Cllr O'Meara welcomed the debate and outlined that there were insurance issues relating to speed bumps, ramps and cushions together with safety issues for emergency services and cyclists.

Mr. M. O'Connor and Mr. L. Brett acknowledged the concerns of the members and the desire to achieve maximum safety for all road users. Members had particular concerns in relation to road safety in housing estates and the design of new estates to reduce speed would be examined as part of the planning process.

A proposal was put to the members that the policy would be amended to remove the text

"Vertical deflections such as Speed Bumps, Speed Ramps and Speed Cushions shall not be used. • to protect vehicles, emergency services and cyclists"

from the policy and that the Infrastructure SPC would examine the use of traffic calming in housing estates in further detail.

It was proposed by **Cllr MI O'Meara**, seconded by **Cllr E. Moran** and resolved: -

"That Tipperary County Council adopts the Policy Principles on Vertical Deflections 2024 as presented by the Infrastructure Strategic Policy Committee, subject to the amendment that the following text is removed from the Policy": • Vertical deflections such as Speed Bumps, Speed Ramps and Speed Cushions shall not be used. • to protect vehicles, emergency services and cyclists.

Mr. J. MacGrath, Chief Executive, acknowledged the work of the Infrastructure SPC and the Roads Staff in the formulation of the Policy. It was important to have a policy in place and the implementation of the policy would be reviewed after a six-month period by the SPC.

Item 5.8
Strategic
Infrastructure
Application

Ms. Sharon Kennedy, Director of Services informed members that a Strategic Infrastructure Development application for approval under Section 37E of the Planning and Development Act 2000, as amended, had been made to An Bord Pleanála in respect of a development by Buirios Limited for a proposed renewable energy development which would comprise 9 no. wind turbines and associated infrastructure in the townlands of Borrisbeg, Eastwood, Ballycahill, Knockanroe, Clonmore, Graffin and Skehanagh, County Tipperary. The Chief Executives Report, a Roads Report and Environment Report had been circulated to the members for consideration.

The Planning Authority was satisfied that the principle of the proposal, subject to considerations being implemented, was generally in accordance with the Tipperary County Development Plan, 2022. It was however considered appropriate that: -

- A Road Safety Audit would be sought;
- The Community Benefit Fund shall be in line with the Renewable Energy Support Scheme (RESS) in place at the time;
- The Planning Authority considers that the impact of the development on the Devils Bit landmark had not been adequately assessed.

Ms. Kennedy outlined that the application had been made to An Bord Pleanala as the proposed wind farm had an output in excess of 50 megawatts and was therefore classed as strategic infrastructure. The Chief Executives Report would be submitted to An Bord Pleanala and any observations by the members contained in the Minutes of this meeting would be attached to the C.E. Report. The decision on the application would be made by An Bord Pleanala.

Members noted the content of the Chief Executives Report and expressed the following views: -

- concerns of residents that live near the proposed windfarm
- the responsibility of removing obsolete/unused structures from the windfarm
- the proximity of infrastructure to dwellings and farm buildings
- the possible damage to the road structure during construction.
- Development levies.

In response Ms. Kennedy advised members that: -

- Members of the public could make observations on the application to An Bord Pleanala either online or in writing: -
- The construction and decommissioning of the site together with road and noise issues were considered as part of the Environmental Impact Assessment (EIA).
- Development Contributions were payable to Tipperary County Council and would be apportioned in the County in accordance with the Development Contribution Scheme.

The members noted the Chief Executive report and recommendations contained therein and made no further recommendations.

Item 6.1

Ratification of Nominees

Tipperary Local Community & Development Committee (TLCDC)

It was proposed by **Cllr D. Burgess** seconded by **Cllr J. Carroll** 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 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 a member (Public) of The Tipperary Local Community & Development Committee (TLCDC)

- **Ms Maedhbh Gordon representing the Public Participation Network Social Inclusion having been nominated by SilverArch Resource Centre, Nenagh”.**

Tipperary Energy Agency (TEA)

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

“That the following be ratified a member of the Tipperary Energy Agency: - Cllr. Máirín McGrath”.

Nenagh Arts Centre.

It was proposed by **Cllr Marie Murphy**, seconded by **Cllr S. Morris** and resolved: -

“That Cllr P. Bugler be ratified a member of the Nenagh Arts Centre”

Item 7.1

Consideration of Management Report

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

Best Wishes

The Cathaoirleach and members conveyed their best wishes to Mr. Marcus O'Connor who was retiring as Director of Services from Tipperary County Council. They wished him a long and happy retirement and thanked him for his contribution to the County.

Mr. Joe MacGrath, Chief Executive, joined in the good wishes to Mr. O'Connor. He acknowledged his work with both the Municipal Districts and the County and referred to the significant contribution he had made to Tipperary. He was a professional in every aspect of his work and committed to any task he undertook.

Mr. O'Connor thanked members and the Chief Executive for their good wishes, he had enjoyed his time with Tipperary Council and together they had achieved a lot focusing on the priorities for the County.

Roads, Transportation, Health and Safety

Mr. Marcus O'Connor, Director of Services, and Mr. Liam Brett, Mr. John Nolan Senior Engineers, responded to queries raised as follows: -

Thurles By-pass

Thurles M.D. Members welcomed the recent meeting with Minister Chambers when representations were made regarding the need for a by-pass for Thurles. The importance to continue to lobby to have this project put on the National Development Plan was stressed.

Hedge cutting

A number of members referred to the recent weather conditions which delayed contractors carrying out hedge cutting and asked that a letter would issue to the Department to seek a derogation to the hedge cutting season of two weeks from the 28th February.

Traffic Calming Borrisoleigh

It was agreed to examine options for traffic calming in the village of Borrisoleigh.

Traffic Calming, Ballingarry, Lower Ormond.

Safety issues in the village of Ballingarry would continue to be raised with Transport Infrastructure Ireland.

N62 Templemore to Roscrea

It was agreed to examine the need for the continuation of a section of footpath at Borrisbeg.

N24 Preferred Route Solution (Clonmel).

Clonmel Area Members referred to their dissatisfaction with the N24 Preferred Route Solution for the portion at Clonmel and that a meeting had already been sought with the Minister in this regard.

Carrick-on-Suir to Kilmeaden Greenway

A Section 85 Agreement had been entered into with Kilkenny County Council which would allow this Council to complete a feasibility and options selection study on lands within the Kilkenny area which could form part of the lands joining the Blueway and Greenway.

Low Cost Accident Scheme.

It was clarified that District Engineers would highlight roads that were the location of accidents or near misses causing injury and the accident records for these locations were submitted to the Department who determined if applications were successful for works to be carried out under the Low Cost Accident Scheme.

Local Roads

Members expressed the need for maintenance of local roads due to the ongoing heavy rainfall. It was noted that the velocity patcher would be developed to address these issues once the weather improved.

R494 Improvement Scheme

The R494 was due to be reopened in May, 2024

Public Lighting Maintenance

There were ongoing discussions with the Maintenance Contractor to improve timelines for the repair of public lighting. The Contractor had recently increased the number of crews working on maintenance issues.

National Public Lighting Energy Efficiency Project

A Survey of all existing street lights had been completed by the Contractor and lighting designs would commence early to mid-2024.

Planning and Development (including Town Centre First and Just Transition)

Ms. Sharon Kennedy, Director of Services, and Ms. A.M. Devaney, S.E.P., responded to queries raised as follows: -

Waiver of Development Contributions

Members welcomed the various grants/schemes that were available to those wishing to build their own home and, in this regard, it was agreed to write to the Department to seek an extension of the time limit of the waiver scheme for development contributions.

Reference was made to problems being experienced by planning applicants meeting planning conditions having regard to delays in Uisce Eireann connection agreements. It was agreed to examine the certification issues raised regarding condition compliance. It was also agreed that the Council would engage with Uisce Eireann on this matter.

Modular Homes/Log Cabins/Demountable Dwellings

It was clarified that Tipperary County Council would assess applications for the provision of modular homes/log cabins/demountable dwellings in accordance with the County Development Plan and would work with individuals for breaches of planning legislation in respect of unauthorised developments for this type of dwelling in an effort to become planning compliant.

Conservation Officer

The position of Conservation Officer was going through the recruitment process.

Taking in Charge Estates

The Council continued to process the taking in charge of estates but it was highlighted that there were a number of estates that were unable to be progressed at present due to various issues.

Preplanning Clinics

It was noted that in-person preplanning clinics had resumed.

Cluster Housing Schemes in Rural Villages

Tipperary County Council would continue to examine suitable sites for the development of Cluster Housing Schemes.

URDF

URDF Call 3 was being progressed in the URDF designated towns of Clonmel, Nenagh and Thurles and details of URDF Call 4 were awaited.

Kickham Barracks, Clonmel

The review of a preliminary business case for the redevelopment of Kickham Barrack by Solas, an agency of the Department of Further and Higher Education, Research, Innovation and Science was welcomed.

Emergency Services and Emergency Planning

Ms. Sharon Kennedy, Director of Services, responded to queries raised as follows: -

University Hospital, Limerick.

Cllr S. Morris outlined the number of patients on trolleys in University Hospital Limerick and to his request that Tipperary County Council would ask the Chief Fire Officer in Limerick to carry out an inspection of the emergency department and furnish details of previous fire inspections carried out.

Mr. Joe MacGrath, Chief Executive, acknowledged the exceptionally high demand for emergency care in University Hospital Limerick and advised that Tipperary County Council had no authority to issue such a request to a member of staff of another local authority. However, a member or members could write to Limerick County Council on this issue if they so wished. This position was noted and it was agreed to follow up with HSE Mid-West to attend a workshop of the Council to brief the members further on University Hospital, Limerick.

Traffic Management at Road Traffic Accidents.

The protocol for traffic management at road traffic accidents was discussed and a specific incident within the Tipperary-Cahir-Cashel district was highlighted and it was agreed to examine the matter further and revert to the Councillor concerned.

Library, Cultural Services & Biodiversity

Ms. A.M. Fleming who had recently been appointed to the position of Biodiversity Officer was introduced to the members.

Ms. Fleming said that she looked forward to working with the members. She informed them that her main focus would be producing a Biodiversity 5-year Plan for the County which would be subject to an audit each year on how objectives contained in the plan were met. She would be engaging with communities and the public as part of the process.

Members welcome her to her new position. Reference was made to the need to provide support to Tidy Towns Groups to assist with the biodiversity element of the application form and it was agreed that consideration would be given to a remote information/meeting workshop with Tidy Towns Groups.

Ms. Damien Dullaghan, responded to queries raised as follows: -

Clonmel Library

An update would be provided to Clonmel Borough District on the design for the refurbishment of Clonmel Library once final design issues were resolved.

Cahir Library

A design team had been appointed and a design for the Market House premises was almost complete.

Royal Sites Bid

An update on the Royal Sites Bid would be provided to members in Q2, 2024.

Item 8.1

Consideration of Orders for the period to the 31st January, 2024

Chief Executive Orders and Delegated Officers Orders for the period to the 31st January, 2024 were noted.

Item 9.1

Notice of Motion Ref: 2753 – Gaza Conflict

Motion **Ref. 2753** was proposed by **Cllr. S. Morris**

"This Council is requesting that Ireland should also exercise our right as a state party to the Rome Statute of the International Criminal Court to refer the actions in Palestine and Israel to the Prosecutor of the court for the purpose of requesting an investigation into any acts of war crimes, crimes against humanity and genocide that have occurred in Gaza over recent months. We further support the growing call to invoke the Genocide Convention. That Tipperary County Council re-echoes the call of Dublin Local Authorities in formally supporting the Boycott, Divestment, and Sanctions Movement (BDS) against apartheid Israel, as a peaceful campaign for change. We therefore call for the enactment of the Control of Economic Activity (Occupied Territories) Bill 2018 and the illegal Israeli Settlements Divestment Bill 2023 as a matter of urgency".

The motion was seconded by **Cllr J. Hannigan: -**

The reply to the motion was noted and agreed as follows: -

Subject to Council approval this motion will be referred to Mr. Leo Varadkar, Taoiseach and Mr. Micheál Martin, Tánaiste, Minister for Foreign Affairs and Minister for Defence

Item 9.2

Notice of Motion Ref: 2756 – Treatment

Motion **2756** was proposed by **Cllr. J. Ryan: -**

"I am calling on the Minister for Social Protection to amend present legislation in order to allow parents to access financial support and grants through the PRSI system to purchase wigs and pay for hair

Benefit Scheme for Wigs and Hairpieces.

loss treatment for their children. If this motion is supported I would like it to be sent to all Councils across the country for their support”.

The Motion was seconded by **Cllr. S. Ryan**

The reply was noted and agreed as follows: -

Subject to Council approval this Motion will be forwarded to the Minister for Social Protection, Ms. Heather Humphries.

Item 9.3

Notice of Motion Ref 2758 – Local Government

Motion 2758 was proposed by **Cllr. P. English: -**

“Ireland has a very weak system of local government in comparison to other European countries, over the last 2 years alone direct actions by the current government have weakened local government and local democracy including direct attacks on the powers of local councillors which have included:

- A. Removal of section 183 reserved function for disposals of council owned land to the unelected land development agency**
- B. Removal of part and planning reserved function (until December 2024) for councils own housing developments**
- C. Removal of councillors from governing authorities of universities under the higher education authority act 2022**
- D. Councillors will be removed from their role on Joint Policing Committees once they are replaced by safety partnerships when the policing, security and community safety bill 2023 completed all stages in the Seanad.**

I request this council to call on the Minister for Housing, Local Government and Heritage as well as the government to undo the attacks on the powers of local councillors and ensure the members of local authorities will have enhanced and equivalent power and representation like those held by local government in other EU countries”.

The Motion was seconded by **Cllr. S. Hanafin.**

The reply to the Motion was noted and agreed as follows: -

Subject to Council approval this motion will be referred to Mr. Darragh O'Brien, Minister for Housing, Local Government and Heritage for consideration/response.

Item 9.4

Notice of Motion Ref 2759 – Gaza Conflict.

Motion 2759 was proposed by **Cllr. P. English: -**

“That Tipperary County Council request the Irish Government to support South Africans case against Israel under the genocide convention before the international court of justice, Ireland must offer a meaningful stance against the horrors being inflicted on the people of Gaza by the Israeli Government and the denial of basic

necessities of adequate water, food, electricity, shelter, medical care and supplies which are also being withheld by Israel”.

The Motion was seconded by **Cllr. K. Bourke**

The reply was noted and agreed as follows: -

Subject to Council approval this motion will be referred to Mr. Leo Varadkar, Taoiseach and Mr. Micheál Martin, Tánaiste, Minister for Foreign Affairs and Minister for Defence

Correspondence as circulated was noted as follows: -

**Item 10.1 &
10.2**

Correspondence

10.1 Irish Deer Management Strategy Group

Cllr Marie Murphy spoke of the need for action in respect of the deer population. She outlined the impact on land management and road safety. She referred to an area at the base of the Knockmeldown Mountains that should be declared a hotspot and that measures should be taken as a matter of urgency to reduce the number of deer in the area. The deer population across the foot of the Knockmeldown Mountains had risen considerably and reference was made to the number of deer that had been seen on the Clogheen to Goatenbridge Road. Cllr Murphy queried the number of Section 42 licenses that had been issued in Tipperary in 2023 and how many of these were issued in the Cahir local electoral area. She requested that Tipperary County Council write to the Department of Agriculture, the National Parks & Wildlife Service, Coillte, and the Irish Deer Management Strategy Group, to implement, as a matter of urgency, the actions as highlighted in the report in particular she asked that consideration be given to the following: -

Short Term actions (9 months)

- to set up a deer management unit for the Knockmealdown area.
- the revision of the process of Section 42 license applications under the Wild life Acts to ensure consistency of approach.

Medium term actions

- Monitoring the impacts on Road safety, farming, biodiversity and forestry arising from the implementation plan

A number of members spoke in support of the road safety and land management issues.

Following discussion it was agreed to write to the Minister for Agriculture, National Parks and Wildlife Service, Coillte and members of the Deer Strategy Group to request implementation of actions of the Strategy relating to deer control.

Item 11.1

**Motions from
other Councils**

The following Motions were noted by the Council.

Mayo County Council

“That all co-operation ceases immediately, between the staff of Mayo County Council and Department of children, disability integration and youth, until such time as an agree strategy is put in place to properly co-ordinate the provision of additional services for the communities’ hosting refugees and international protection applicants. Service should include medical, policing, accommodation, housing, education, transport, training

etc... and that the delivery dates are set down for the roll out of these services. This strategy should also reflect equality on the numbers of refugees across all national constituencies.

That Mayo County Council requests the Irish Government to revoke the European Union (Planning and Development) (Displaced persons from Ukraine Temporary Protection) Regulations 2022.

That Mayo County Council encourages Government to utilise lands where planning permission has been granted but no works have taken place to erect modular or prefabricated housing for the accommodation needs of refugees fleeing wars and Irish people requiring affordable accommodation.

That Mayo County Council requests the Irish Government to immediately cease leasing any property that is intended to be used in the future as tourist accommodation for the accommodation needs of refugees, asylum seekers or people seeking temporary protection.

Any contracts issued where residency has not been taken up to date that the contracts are passed until the strategy is agreed.

Carlow County Council

"That Carlow County Council affirms the great work done by sports clubs throughout the country and acknowledges the lack of funding opportunities for sports clubs in non-clár areas in terms of bringing their carparks up to a good standard in terms of drainage, surfacing and Health & Safety compliance. We call on central government to provide such funding opportunities by either expansion of current schemes such as LIS or a new funding scheme".

Wexford County Council

"This Council notes that both the Taoiseach and the Tánaiste have suggested that Israel is committing war crimes in Gaza. Over 10,000 children have been killed in what Minister Simon Harris, has described as "a war on children."

Leo Varadkar has stated that the failure of Israel to observe humanitarian law 'can't' be inconsequential.'

War crimes also continue in the Occupied West Bank associated with settlements that are illegal under International Law. We note that hundreds of civilians have also been killed there (where Hamas doesn't exist), and a school funded by Irish money was demolished recently. As a Local Authority we acknowledge that we can no longer stand by as complacent witnesses to ongoing war crimes and constant breaches of international law.

There must be consequences and Ireland are best placed to lead the way, just as we did with Apartheid South Africa.

This Council is requesting that Ireland should also exercise our right as a state party to the Rome Statute of the International Criminal Court to refer the actions in Palestine and Israel to the Prosecutor of the court for the purpose of requesting an investigation into any acts of war crimes, crimes

against humanity and genocide that have occurred in Gaza over recent months.

We further support the growing call to invoke the Genocide Convention.

That Wexford County Council re-echoes the call of Dublin Local Authorities in formally supporting the Boycott, Divestment, and Sanctions Movement (BDS) against apartheid Israel, as a peaceful campaign for change.

We therefore call for the enactment of the Control of Economic Activity (Occupied Territories) Bill 2018 and the illegal Israeli Settlements Divestment Bill 2023 as a matter of urgency”.

Sligo County Council

“That this Local Authority calls on the Government to take a serious stance and introduce effective laws to prosecute those who wilfully break the law on bicycles, electric bicycles and electric scooters”.

Item 12.1

Expressions of votes of sympathy

Members passed a vote of sympathy to the following: -

- Oliver Naughton, Executive Engineer, Environment & Climate Action on the death of his mother Mona
- Sharon Kenny, Thurles MD and Tony Kenny, Tipp Cahir Cashel MD on the death of her mother and his mother in law Breda Croke
- Mae Quinn, former member of Thurles Town Council and North Tipperary County Council on the death of her brother Eamon Meagher.
- Anthony Coleman, DOS, on the death of his uncle.
- Sinead Carr, DOS, on the death of her aunt.

Votes of Congratulations

Members passed a vote of congratulations to the following: -

- Cllr Peggy Ryan on the birth of her son Denis.
- Mary McDonald and her son Mike on completing a skydive in aid of medical aid for Palestinians and Palestine Children’s Relief Fund
- Horse and Jockey Hotel on being named Irelands Best 4 Star Hotel at the Gold Medal Awards.
- Cashel Palace Hotel on being awarded a Michelin Star to The Bishop’s Buttery restaurant.

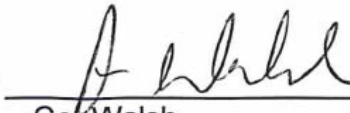
Item 13.1

Any Other Business

The meeting then concluded.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date: