



**Comhairle Contae Thiobraid Árann**  
Tipperary County Council

April 6th, 2021

**Notice Of Meeting**

Don Cathaoirleach agus Gach Ball den Comhairle.

A Chara,

Iarrtar ort bheith i láthair ag Cruinniú Míosúil de Chomhairle Contae Thiobraid Árann le coinneáil go cianda trí súmáil isteach, 12 Aibreán, 2021 ar 10 a chlog ar maidin.

You are requested to attend the Monthly Meeting of Tipperary County Council to be held remotely by zoom on Monday 12th April, 2021 at 10 a.m.

To join the meeting, please click on the following link - <https://tipperarycoco.zoom.us/j/95427992331> or alternatively click on the Zoom app on your i-Pad, click on 'join meeting' and enter the following **meeting ID:954 2799 2331**. Wait for meeting host to admit you to the meeting. You will be able to join the meeting from 9.45 a.m, however please arrange to join the meeting by 9.55 a.m at the latest.

Zoom meeting instructions which should assist you in joining the meeting and asking questions are available to view on Decision Time - [Click Link](#).

Is Mise le Meas,

Ger Walsh

Meetings Administrator,

**Tipperary County Council.**

# Agenda

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## *Welcome and introduction.*

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### **1.1 Meeting Protocol**

Join Zoom Meeting - <https://tipperarycoco.zoom.us/j/95427992331>

- **Meeting ID:** 954 2799 2331

The following rules will apply in relation to how the meeting will be run to ensure everyone can make a useful contribution:

1. The Cathaoirleach/Meetings Administrator will at the outset, call a roll call of participating members and ensure that they can hear and see those in attendance;
2. Each Member participating will confirm that they can hear and see the proceedings and also ensure that there are no other persons present who are not entitled to be either hearing or seeing the proceedings and/or recording the proceedings.
3. All members will mute their microphone until they are called on to speak by the Cathaoirleach;
4. Any Councillor that wishes to ask a question/query should click on the "Participant" tab at the bottom of their screen and then click on the "Raise Hand" tab which should appear to the right of the screen. This will allow the Cathaoirleach and host to see who wishes to speak;
5. The Cathaoirleach/Meetings Administrator will indicate which Cllrs have raised their hand to speak;
6. The Cathaoirleach will call on those Councillors in sequential order to speak or raise a question/query on that particular agenda item;
7. The Cathaoirleach will then call on any Councillor attending at a meeting room in either of the Civic Offices/MD Offices by video link to raise any queries;
8. The Director of Services/Senior Section Staff will reply to the queries raised;
9. Each speaker should mute their microphone immediately after speaking;
10. If a member loses connectivity or leaves the meeting, they should inform the Elaine Murphy by email to [elaine.murphy@tipperarycoco.ie](mailto:elaine.murphy@tipperarycoco.ie) or phone/text - 087 2339376;
11. All members of the media will be required to turn off their video and mute their microphone throughout the full proceedings and must maintain silence and observe any direction given by the Chair or by the meetings administrator;
12. Zoom meeting instructions which should assist you in joining the meeting and asking questions are available to view on Decision Time - [Click Link](#).

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## *Ethics Declarations*

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### **2.1 Disclosures/or Conflicts of Interest**

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## *Consideration of Minutes*

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### **3.1 Minutes of Council Meeting held on the 8th March, 2021**

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*Conferences / Seminars / Training/ Further Education*

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#### **4.1 Approval to Attendance**

#### **4.2 Reports on Conferences**

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*Business prescribed by Statute, Standing Orders or Resolution of the Council*

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#### **5.1 Section 183 Notice - Disposal of property at Carragaun, Cahir, Co. Tipperary to Mary O'Donnell, Liam, Jim & Noel Guthrie - notice attached.**

- To facilitate rectification of title.

#### **5.2 Section 85 Agreement between Wexford County Council and Tipperary County Council - report attached.**

- GPS System for fleet services

#### **5.3 Ard Alainn Estate, Moyne: Local Authority own development pursuant to Section 179 of the Planning and Development Act, 2000, as amended and Part 8 of the Planning and Development Regulations 2001, as amended - report attached.**

- The construction of 9 no. new dwelling houses comprising 1 No-3 bedroom, 2 storey house; 4 no. 2- bedroom, 2 storey houses; 4 no.-2bedroom, single storey houses, roads, footpaths, underground services, new replacement drainage system, car parking, boundary treatments, landscaping, open spaces and all associated site works. Access to the site via the existing Ard Alainn estate road, Bóthar Alúine, L5359.

#### **5.4 Lactacarn, Ardcroney: Local Authority own development pursuant to Section 179 of the Planning and Development Act, 2000, as amended and Part 8 of the Planning and Development Regulations 2001, as amended - report attached.**

- The construction of 4 no. dwelling houses to the northwest side and within an existing residential development at Lactacarn, Ardcroney, comprising 3 no single storey semi detached 2 bedroom houses; 1 no. single storey semi detached 4 bedroom house; roads, footpaths, underground services, new replacement drainage system, car parking, boundary treatments, landscaping, open spaces and all associated site works.

#### **5.5 Cahir Local Area Plan 2021-2027 - report attached.**

- To consider the Proposed Material Alterations to the Cahir Local Area Plan 2021-2027 and the Chief Executive's Report on the submissions received in accordance with Section 20 of the Planning and Development Act 2000 (as amended).

## **5.6 Refundable Aid to Irish Bioeconomy Foundation CLG - report attached.**

- To consider and authorise in accordance with Section 66 Local Government Act 2001 that Tipperary County Council provide €500,000 (five hundred thousand euro) 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.

## **5.7 Arts Act Grants 2021 - report attached.**

- To consider and approve recommendations on 2021 grant applications in accordance with the Arts Act 2003.

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### *Appointment of Members to Committees or Boards*

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## **6.1 Ratification of member to Local Community Development Committee (LCDC)**

- Ratification of Ms. Dervla Howley as HSE representative.

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### *Consideration of Reports and Recommendations*

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## **7.1 Consideration of Management Report as per Section 136 (2) of the Local Government Act, 2001, as amended by the Local Government Reform Act, 2014 - report attached**

- Roads, Transportation, Health & Safety
- Planning
- Fire & Emergency Services
- Library & Cultural Services
- Finance & Information Technology

## **7.2 Draft Annual Report 2020.**

- For noting

## **7.3 Tipperary Joint Policing Committee Annual Report 2020 - attached.**

- For noting

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### ***Corporate/Organisational Issues***

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#### **8.1 Agree dates for Councillor Workshops**

- Regional and Local Roads Allocations
- Draft County Development Plan
  - Thursday 10th June
  - Tuesday 15th June
  - Tuesday 22nd June
  - Tuesday 29th June
  - Time: 10.00 a.m. - 12 noon by Zoom/TBD.

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

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#### **9.1 Consideration of Orders for the period to the 31st March, 2021**

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#### ***Notices of Motion (Adjourned from previous Meeting)***

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#### **10.1 Cllr P English (Ref. No 2080)**

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 staffed Outreach Jigsaw Hubs in both Clonmel and Nenagh.

#### **10.2 Cllr P. English (Ref 1840)**

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 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.

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#### ***Notices of Motion (Tipperary County Council Functions)***

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#### **11.1 Cllr A. Moloney (Ref No. 2100)**

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.

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#### ***Notice of Motions ( Non-Tipperary County Council Functions)***

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#### **12.1 Cllr. T. Black (Ref No. 2106)**

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.

## **12.2 Cllr. A. Shiner (Ref No. 2108)**

That Tipperary County Council write to 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.

## **12.3 Cllr S. Ryan (Ref No. 2115)**

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 enroll in the nearest possible school with an ASD unit. Such a move would make the process of enrolment easier for children and parents.

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### *Correspondence*

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## **13.1 Correspondence dated 1st March, 2021 from Cathaoirleach of Laois County Council.**

- Land Development Agency Bill

## **13.2 Reply dated 2nd March, 2021 from office of Minister of State.**

- Agri Kids Be Farm Safe Presentation

## **13.3 Reply dated 11th March, 2021 from office of the Minister for Foreign Affairs**

- Pat Finucane (NOM Ref. 2021)

## **13.4 Reply dated 15th March from office of Minister for Children, Equality, Disability, Integration & Youth.**

- Mother and Baby Homes (NOM Ref. 2049)

## **13.5 Reply dated 23rd March, 2021 from office of the Minister for Housing, Local Government and Heritage.**

- Land Development Agency Bill. (NOM Ref. 2075)

### **13.6 Reply dated 1st April, 2021 from Chief Officer, HSE South East Community Healthcare.**

- Presentation to Tipperary County Council on Covid-19 and other service matters across the South East Hospital Group.

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## ***Resolutions from Other Local Authorities***

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### **14.1 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.

### **14.2 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.

### **14.3 Kerry County Council**

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

### **14.4 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.

## **14.5 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.

## **14.6 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 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.

## **14.7 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.

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

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## **15.1 Expressions of votes of sympathy/congratulations**

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### ***AOB***

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## **16.1 Any other business appropriate to a meeting of Tipperary County Council arising with the permission of the Cathaoirleach.**