

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF  
TIPPERARY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES,  
CLONMEL, AND Remotely Via Zoom  
AT 11 A.M on Monday 11<sup>th</sup> March, 2024.**

**Present**

Cllr. G. Darcy, Cathaoirleach.

Cllrs: Ambrose, S. Bourke, K; Burgess, D; Coonan, N; Crosse, J; Dunne, D; English, P; Fitzgerald, J; Fitzgerald, Mark; FitzGerald, Ml.; Goldsboro, I; Hannigan, J; Kennedy, R; Lee, S; Lowry, Ml.; McGrath, M; Molloy, R; Moloney, A; Murphy, Ml.; Ryan, A.M.; Ryan, J; Ryan, S;

**Remote**

Cllrs: Anglim, M; Bonfield F; Bugler, P; Carroll, J; Dennehy, N.P; Hanafin, S; Hourigan, M. Hanna; McGrath, J; Moran, E; Morris, S; Murphy, M; O'Meara, K; O'Meara, Ml.; Ryan, P; Smith, M.

**Also Present**

Mr. J. MacGrath, Chief Executive, Ms S. Carr, Mr. E. Lonergan, Ms. S. Kennedy, Mr. B. Beck, Mr. A. Coleman, Director of Services, Mr. M. Connolly, Head of Finance, Ms A. M Devaney, S.E.P., Mr. G. Walsh, Meetings Administrator.

**Apologies**

Cllrs Black, T; McGrath, H

**Item 1.1**

The Cathaoirleach welcomed all to the March 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 and commenced the meeting with the opening prayer.

The Cathaoirleach advised members that a request had been received from the Chairmen of South Tipperary and North Tipperary IFA to address the Council on the "Enough is Enough" campaign. This request had been discussed and agreed by the CPG subject to the approval of the plenary Council.

It was proposed by Cllr D. Burgess, seconded by Cllr S. Ryan and agreed that a deputation would be received from South Tipperary IFA and North Tipperary IFA at 12 noon.

**Item 1.2**

**Launch of Tipperary Women in Politics Podcast Series.**

The Cathaoirleach launched the Tipperary Women in Politics Podcast series which had been developed in partnership with Ballywire Media with funding assistance from the Department of Housing, Local Government and Heritage. The aim of the podcast was to support and encourage the increased participation of women and people of diversity in the 2024 local elections, as well as actively supporting the retention of existing female councillors post 2024. A 5-minute promotional video was played to launch the podcast series which would be published on the Council's website and promoted via its social media channels.

Cllrs P. Ryan, S. Ambrose, M. McGrath and A.M. Ryan expressed their appreciation to all involved in making the podcast which had been an enjoyable experience and hoped it would encourage women to engage in politics.

**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 12<sup>th</sup> February, 2024**

The Minutes of the February Monthly Meeting held on 12<sup>th</sup> February, 2024 were proposed by **Cllr. S. Ryan**, seconded by **Cllr. P English** and adopted.

**Matters Arising**

Borrisoleigh Traffic Calming

It was agreed to revert to Cllr E. Moran regarding traffic calming measures for Borrisoleigh.

**Item 4.1**  
**Approval to Attendance**

It was proposed by **Cllr. AM Ryan**, seconded by **Cllr. S. Ryan** 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
Suck Valley Annual Conference	13 <sup>th</sup> and 14 <sup>th</sup> March	Hannons Hotel, Athlone Road, Roscommon	Michael Murphy Seamus Morris Sean Ryan Kieran Bourke Michael FitzGerald Imelda Goldsboro

AILG Module 2	21 <sup>st</sup> March, 2024	Hotel Kilkenny, Kilkenny	Michael FitzGerald Michael Murphy
AILG Module 2	23 <sup>rd</sup> March, 2024	Hudson Bay Hotel	Seamus Morris Imelda Goldsboro Seamus Morris

Invitation to Cathaoirleach to Kayonza Region, Rwanda

The Meetings Administrator advised members that Blues Creamery in Aherlow, had been involved in a cheese production project with the Kayonza region in Rwanda for the last 4 years. The Blues Creamery Rwanda was set up to develop an artisan cheese enterprise in Kayonza Rwanda and has received support from African Aid Development Program administered by Dept of Foreign Affairs and the Dept of Agriculture, Food and Marine, Blues Creamery Ireland, Article 25 UK based Humanitarian architects and registered charity and NGO and the Colm Kenneally Charitable Bequest. UCD (BiOrbic) and the Rwandan National Dairy platform had agreed a five research work packages with a €2 million budget to develop a sustainable Inyambo cow dairy farming system in Kayonza in the eastern province of Rwanda. This research farm would be vertically integrated into the Blues Creamery Rwanda Cheese enterprise. The Blues Creamery Rwanda and the Inyambo cow research projects are collaboratively and collectively called the "Happy Earth Project", which will be launched at this event from the 22<sup>nd</sup> to 24<sup>th</sup> March 2024 and the Cathaoirleach was invited to attend this launch. The purpose of the Cathaoirleach's attendance at the event would be to lend political support from the Council to the project which may in time lend to further synergies between this region in Rwanda and Tipperary and the potential to enter into a Friendship Agreement in the future.

It was proposed by **Cllr. A. M. Ryan** seconded by **Cllr S. Ryan**

**"That the Cathaoirleach, Cllr G. Darcy would attend the Inyambo Cow Cultured Festival and launch of the Happy Earth Project from the 22<sup>nd</sup> to the 24<sup>th</sup> March, 2024" in Kayonza District, Rwanda.**

**Item 4 .2**

Noted.

**Reports on Conferences**

**Item 5.1**

It was proposed by **Cllr D. Burgess**, seconded by **Cllr MI. Murphy** and resolved: -

**Section 183**

**Notice - Disposal of property to rear of St. Cormac's Cemetery,**

**"That in accordance with the provision of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal by way of a 3-year letting agreement of the lands to rear of St. Cormac's Cemetery at Waller's Lot, Cashel, Co. Tipperary contained in Folio TY29099 to O'Riordan Monumental Structures in**

**Wallers Lot,  
Cashel**

**accordance with the terms of the Notice under the above section, as circulated on Thursday 29<sup>th</sup> February, 2024.”**

The disposal related to a 3 year letting agreement to facilitate the provision of competency courses for monumental sculptors.

**Item 5.2**

**Section 183  
Notice -  
Disposal of  
property at  
Killoran, Moyne,  
Tipperary to  
Irish  
Bioeconomy  
Foundation.**

It was proposed by **Cllr N. Coonan** seconded by **Cllr S. Ryan** and resolved: -

**“That in accordance with the provision of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal by way of a 25-year lease agreement of the former Engineering Building for former Lisheen Mines at Killoran, Moyne, Co. Tipperary to Irish Bioeconomy Foundation for consideration of €100,000.00 per annum with the terms of the Notice under the above section, as circulated on Thursday 29<sup>th</sup> February, 2024”.**

The disposal was required to facilitate the letting by way of 25-year lease agreement of the former engineering building associated with former Lisheen Mines for the proposed research, development and production in the area of the bio-economy.

Cllr S. Hanafin welcomed the disposal of this building which he said was an important step in achieving the full potential of the site.

**Item 5.3**

**Section 183  
Notice -  
Disposal of  
property at  
Nenagh North,  
Nenagh to  
Nenagh  
Childcare  
Committee Ltd.**

It was proposed by **Cllr F. Bonfield** seconded by **Cllr S. Morris** and resolved: -

**“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 0.034ha at Nenagh North, Nenagh, Co. Tipperary contained in Folio TY50036F to Nenagh Childcare Committee Ltd for consideration of €3750.00 in accordance with the terms of the Notice under the above section, as circulated on Thursday 29<sup>th</sup> February, 2024”.**

The disposal was required to facilitate the development of additional play space, parking and drop off measures for Nenagh Childcare Committee.

**Item 5.4**

**Section 183  
Notice -  
Disposal of  
property at  
Ballylynch  
Business Park,  
Pill Road,  
Carrick-on-Suir**

It was proposed by **Cllr K. Bourke** seconded by **Cllr D. Dunne** and resolved: -

**“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 1.03ha of land situated at Ballylynch Business Park, Pill Road, Carrick on Suir to Red City Kitchens Ltd., in accordance with the terms of the Notice under the above section, as circulated on Thursday 29<sup>th</sup> February, 2024”.**

**to Red City  
Kitchens Ltd.**

The disposal was required to facilitate the sale of the development site which would secure and sustain the existing skilled workforce of Red City Kitchens Ltd.

**Item 5.5**  
**Draft Anti-Social  
Behaviour  
Strategy 2024**

It was agreed to take this item with the Housing Management Report under Item 6.1.

**Item 5.6**  
**Consideration of  
Audit Committee  
Reports in  
accordance with  
the Local  
Government Act,  
2001**

Mr. Joe MacGrath, Chief Executive, acknowledged the work of the Audit Committee. He referred to a number of documents that had been circulated to the members for noting and the Annual Work Programme 2024 which required adoption by the members.

It was proposed by **Cllr MI. Murphy**, seconded by **Cllr. P English** and resolved: -

**“That in accordance with the provisions of Regulation 9 of the Local Government (Audit Committee) Regulations 2014, Tipperary County Council adopt the Audit Committee Annual Work Programme 2024”.**

**Item 5.7**  
**Amendment to  
Standing Orders**

Mr. Ger Walsh, Meetings Administrator, referred to the report that had been circulated to the members outlining changes to Standing Orders as recommended by the Privilege and Procedure Committee and approved by the Corporate Policy Group.

- SO No. 6 - Changing the time of the meetings back to 10am;
- SO Nos 2 & 7 - The default position of the Council in the event that Hybrid meetings cannot be facilitated owing to technical issues would be to meet in person and not remotely via zoom
- SO 87 - Civic Receptions, where conferrals are to be live streamed, the venues that would be used subject to availability would be the Bru Boru Centre, Cashel, The Source, Thurles and the Nenagh Arts Centre, Nenagh.

It was proposed by **Cllr. A. Moloney**, seconded by **Cllr. Mairin McGrath** and resolved: -

**“That the revised TCC Standing Orders (Version 7) as presented be and are hereby adopted”.**

**Statements  
regarding  
unauthorised  
dwelling and**

Mr. Joe MacGrath, Chief Executive, spoke of legal proceedings taken by Tipperary County Council in respect of two separate cases which recently were the subject of media and public comment. He advised that a statement would be given by the Director of Services for Planning and Development Ms. Sharon Kennedy in respect of proceedings taken in relation to an unauthorised development and a statement would be given

**housing applicant**

by Ms. Sinead Carr, Director of Services for Housing in respect of a housing enforcement issue.

These general statements were being provided to clarify the position of Tipperary County Council and there would be no discussion allowed on these individual cases which were the subject of legal proceedings.

**Planning Statement Unauthorised Development.**

The statement as provided by Ms. Sharon Kennedy, Director of Services stated as follows: -

"The members were aware that this Council provided advise and clarity in relation to planning policy and legislation to the Council on a regular basis. Individual planning applications and decisions were a matter of public record and accessible to all and further, legal actions brought before the Courts were also a matter of public record. Outside of this, it was not Council policy to comment publicly on individual cases having regard to our responsibilities in the context of data protection.

However, the Council does have an entitlement to advise in relation to inaccurate information pertaining to its actions and which is repeatedly published.

Over the last number of years, the Council has engaged with an individual regarding an unauthorised dwelling. Two planning applications had been considered in relation to same, which were a matter of public record. In both instances, the Council considered the applications in accordance with the County Development Plan and Planning Legislation. As neither application, as presented, was deemed to be in compliance with the County Development Plan, the Council had no option but to issue refusals. It was noted that the applicant was entitled to appeal these decisions to An Bord Pleanala but did not do so.

As the unauthorised dwelling was not removed, there was a continuation of a breach of planning law and so it was necessary for the Planning Authority to address same in the context of planning legislation which resulted ultimately in a court application. The matter had been before the Courts, a guilty plea was made and the Court had made an Order indicating the actions that must be taken and the implications of non-compliance with this order.

Having regard to the implications of this Court ruling, the Council's Housing Section had engaged with this individual in order to seek a resolution to their housing needs. It will be appreciated that the details of these engagements cannot be made public but the housing section is satisfied that it can and would offer social housing supports".

**Housing Statement Housing Enforcement**

Ms. Sinead Carr, Director of Services, Housing read out the following statement: -

"The Council does not normally comment on individual circumstances but due to inaccuracies in the public domain, it was important that the council corrected the record and ensures that the public is not misled in relation to a number of key areas.

It has been stated that there had been minimal engagement by the council in relation to a property which the Council was looking to bring back into stock for allocation to a family currently on the housing waiting list.

Our key aim is to support all of those who need housing and as members know, the Council only undertakes court proceedings as a very last resort and having exhausted all other options.

Members can be assured that there was extensive and active engagement by housing staff in relation to this issue from early 2019 and staff were very clear as to the rights, the entitlements and what supports we could offer and all of this is documented.

Members were assured that the Council had correctly and appropriately applied the succession policy in relation to this case and this had been upheld by the courts based on the facts before it and based on the case made by the 2 sides involved.

Notwithstanding the decision by the courts on the property in question, the council staff have continued to engage on this issue offering appropriate housing supports.

Members will appreciate that given the existence of over 3,300 persons on the housing waiting list, there is a duty of care on the council to ensure all individuals on the list are afforded the same treatment in a fair and transparent manner and that this is achieved through the appropriate policies and regulations around the allocation of housing units. There are approximately 166 housing units coming on stream over the next 2 years in the Clonmel area and it was hoped that this would make significant inroads into addressing the housing needs of those on the list in the Clonmel area over the next 2 years”.

A number of members sought to discuss the matter further, however on the advise of the Chief Executive, the Cathaoirleach noted that the matters were sub-judice and therefore did not allow any further debate on the subject.

### **Item 8.1**

### **Tipperary I.F.A.**

The Cathaoirleach advised members that as it was 12 noon, he would take Item 8.1. He welcomed Mr. Pat Carroll, South Tipperary IFA Chairman and Mr. Baden Powell, North Tipperary IFA Chairman and invited them to make a presentation to the members on the IFA’s “Enough is Enough” campaign.

Mr. Pat Carroll said that over the past number of weeks farmers across mainland Europe had been voicing their anger and frustration at the ever-increasing administrative burden being placed on farmers which have had a major impact on farm family incomes, with huge increased costs. Their frustration had broadened into anger with European and National law makers over the increase in regulations relating to agriculture. The EU, the Irish Government and Local Government were devising policies that were far from the farm gate, with little or no consideration of the direct impact on farmers. Over 10% of the working population in Tipperary worked directly in farming and agriculture in Tipperary contributed 2.6BN euro to the local economy with over 180,000 Dairy Farms and 61,000 acres in

tillage. The challenges for agriculture sustainability were Environment, Economic, and Social issues and these issues were outlined in detail to the members.

Mr. Powell spoke in support of the issues raised by Mr. Carroll.

Members thanked Mr. Carroll and Mr Powell for their informative presentation.

It was proposed by **Cllr D. Burgess** that Tipperary County Council resolves to write to the President of the EU Commission, the Taoiseach and the Minister for Agriculture advising them that council has passed the following motion:

**“Tipperary County Council supports the IFA’s ‘Enough is Enough’ campaign. The Council recognises the significant contribution that farming, and the Agri-sector makes to the Irish economy. The Council acknowledges the income challenges on Irish farmers arising from the significant increases in the cost of doing business, regulatory costs, and cuts in the basic income support for farmers. The Council calls on the Government to introduce no further regulations on farmers or any measures that may increase costs on farms without the full negotiation and agreement with the Irish Farmers Association (IFA). The Council calls on the European Union and the Irish Government to provide additional stand-alone funding, separate to the Common Agricultural Policy (CAP), to support farmers to undertake climate and biodiversity measures”.**

The motion was seconded by **Cllr J. Fitzgerald** and supported by the members.

**Cllr. J. Ryan** requested that a letter would issue to the Minister for Finance requesting the restoration of the VAT refund order to non-registered farmers.

This request was seconded by **Cllr. Ml. FitzGerald** and agreed.

## **Item 6.1**

### **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.

### **Economic, Community and Rural Development**

Mr. Brian Beck introduced Ms. Lindsay Cleary, Integration Support Co-ordinator who was appointed as part of a team to support the integration of international protection applicants. It was noted that this team had no role in providing accommodation for these applicants.

Mr. Brian Beck, Director of Services, responded to queries raised as follows: -



### Local Enhancement Programme

The programme closed to applications on 22/02/2024 with over 250 applications for the main programme (Total fund €178,046) and over 40 applications for the Women's Group strand (€35,609). Applications would be assessed for eligibility and grant monies allocated focussed on those areas with highest deprivation index.

### Clar Areas

At the request of Cllr S. Ambrose, it was agreed to write again to the Department regarding the designation of Killaloan as a Clar Area in view of its low population.

Cllr G. Darcy referred to a number of areas in the District Electoral Divisions surrounding Ardcroney and requested that these 2 areas be flagged with the Department also.

It was noted that it was likely that there would be a review of Clár Areas at national level.

### Community Recognition Fund.

Projects funded under this scheme continue to progress throughout Q1 and Q2 of 2024. No new allocation has been announced to date.

### Painting and Enhancement Scheme

The 2024 scheme was under preparation and would be based on the review of the 2023 scheme. Cllr Ambrose requested that consideration would be given to the costs for scaffolding/insurance for buildings with a number of storeys and the biennial clause for applications to be reviewed.

### ABS Building Ballingarrane

Following on from the publication of the preferred N24 route corridor, and consultation with Tipperary Roads Capital Section, the decision was made to move the proposed building 20m to the North. This decision was made to facilitate a longer term, conflict regarding any future dual carriageway upgrades of the N24 rather than the preferred corridor route directly impacting the positioning of the building. A revised Basis of Design was issued and it was expected that a planning application for the building excluding infrastructure will be lodged in Q2 2024

## **Environment & Climate Action**

Mr Eamon Lonergan, Director of Services, responded to queries raised as follows: -

### Community Climate Action Fund

The Department allocated €700,000 to Tipperary County Council for the first tranche of the Community Climate Action Fund. This fund was provided to finance community climate action projects and initiatives for capacity building within local communities. 82 applications for the fund had been received and were now being assessed.

#### Dog Fouling

Members condemned the dog owners who continued to allow their pets to foul public areas. The Council would continue to work to increase awareness and erect signage in problem areas.

#### Sapling Trees and Wildflowers

Tree saplings and wildflower seeds would be distributed to Tidy Towns, Community Groups and Schools and wildflower seeds were distributed also at local marts to the farming community.

#### Japanese Knotweed.

It was noted that a case of Japanese Knotweed on private land in the Ballina area had been referred to the Biodiversity Officers for advice and it was not considered within the legal powers of the Council to enforce.

#### Derelict Sites

It was clarified that property valuations for derelict sites were entered on the Derelict Sites Register but that there were historical properties on the Register which were awaiting valuation.

#### Election Posters

Guidance notes regarding the law in relation to the erection of election posters would be issued to candidates in advance of the forthcoming elections.

#### Drone mounted cameras.

A code of practice has been issued to local authorities nationally and guidelines for the use of all mobile recording devices were now awaited to ensure that all provisions are followed correctly.

#### National Spring Clean

Registrations had opened for National Spring Clean 2024, with 144 groups registering in the first week. The Council would continue to work with communities and promote litter awareness

### **Housing & Ukrainian Refugee Accommodation Response**

The Cathaoirleach proposed that Item 5.5, Item 6.2 and Notice of Motion Ref: 2757 would be taken as part of the Management Report on Housing.

#### **Item 5.5**

#### **Draft Anti-Social Behaviour Strategy 2024**

Each Local Authority was required to prepare an Anti-Social Behaviour Strategy, (Section 35 of the Housing (Miscellaneous Provisions) Act, 2009) in respect of the following properties in its administrative area:

- Local Authority Dwellings
- Leased Dwellings
- Group Housing and Halting Sites for Travellers

The Strategy contains the definition of Anti-Social Behaviour as well as Council's comprehensive procedure for dealing with breaches of tenancy.

A draft Anti-Social Behavior Strategy 2024 had been circulated to the members and Mr. Cora Morrissey, Housing Section, gave members an overview of the draft Strategy.

The principal objectives of the strategy were the prevention and reduction of ASB, to foster good relationships with the various agencies including AGS to prevent and reduce ASB and the promotion of good estate management. Statutory Consultation took place with An Garda Síochána and the Health Service Executive. This Draft Strategy was brought before the Joint Policing Committee on 7<sup>th</sup> December 2023.

Main Changes to the 2016 Strategy were that it updated legislation where required, a section was inserted in relation to the powers of AGS and references to racism, data protection and social media abuse geared towards TCC officials.

Members condemned anti-social behavior in both local authority and private housing estates and referred to specific instances of anti-social behavior that they had encountered.

Cllr S Ambrose proposed that Section 6.0 of the Strategy in relation to the Health & Safety and Employee Wellbeing be amended to include for members as well as staff and this was seconded by Cllr D. Dunne and agreed

Mr. S. Carr, Director of Services, responded to queries as follows: -

- The tenancy handbook would be amended to reflect the changes proposed in the draft strategy.
- Two pets were allowed per household once written agreement from the Council was received by the tenant.
- Persons making complaints regarding anti-social behavior were required to give their names but details provided would be treated confidentially.
- Approved Housing Bodies managed anti-social behavior in their own estates but there was close alignment with local authority procedures.

Cllr K. Bourke, Chair of the Housing SPC acknowledged the work of the SPC members and staff of the Housing Section in drafting the Anti-Social Behaviour Strategy and welcomed the comments of the members.

It was proposed by **Cllr K. Bourke** seconded by **Cllr P. English** and resolved: -

**“That pursuant to Section 35 of the Housing (Miscellaneous Provisions Act, 2009) this Council resolves to adopt the draft Anti-Social Behavioural Strategy, as amended to reference ‘elected members’.**

**Item 6.2**  
**Affordable**  
**Housing Options**

Mr. Shane Grogan, Housing Section, outlined the Ready to Build Scheme to members.

The purpose of this scheme is to give options to families and individuals to construct a home in a small town or village and in doing so enable them to support the local community. Through this scheme the Council would hope to support people to live within a local rural community. The scheme was open to all applicants in Tipperary and beyond who fulfill the criteria.

The Council would develop sites on their own land and make them available as serviced sites in towns and villages available to potential purchasers. The Council could also purchase land and develop it for the purposes of making it available for sale as a serviced site. Each site should be located within a town or village with a population. Each site would be available at a discount, maximum of €30,000, on the market value of the site for the building of a home. The dwelling must be for occupation as the principal private residence. The Scheme was available to first time buyers or people who qualify under the "fresh start principle", those who are older or have a disability, or anyone who is moving from their current home to a town or village.

The first scheme to be developed was located in the village of Boherlahan with four sites open to applications and the order of priority for qualified applicants was outlined. Once the sale of the sites in Boherlahan was completed other areas suitable for the scheme would be identified and submitted to the Department for approval.

Members welcomed the scheme and suggested that consideration should be given to a workshop/Q&A session with interested persons. Mr. Shane Grogan responded to a number of queries on various aspects of the scheme.

In relation to a specific query regarding the development of a site at Coolnamuck, Carrick on Suir, for affordable housing it was noted that this would be further considered in line with the Local Area Plan.

### **Item 10.1**

#### **Notice of Motion** **Ref 2757 –** **Prohibition** **Notice**

Motion Ref: 2757 was proposed by **Cllr A.M. Ryan**

**"That Tipperary County Council commence the legal practice of issuing prohibition notice to Landlords who have been served with an improvement notice and have failed to make the necessary remedial works. A prohibition notice is served when the housing authority is of the opinion that a landlord has failed to comply with an improvement notice served on them. The prohibition notice directs the landlord not to re-let the private rented house for rent or other valuable consideration until the contraventions to which the Improvement notice relates have been remedied.**

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

The reply to the motion was noted as follows: -

"Where a landlord fails to comply with an improvement notice in accordance with section 18A, the housing authority may give notice in writing (in this Act referred to as a "prohibition notice") to the landlord of the house concerned. The housing section is specifically targeting

increasing the compliance rate with rental standards in the calendar year, and this may result in issuing prohibition notices where appropriate. It is important to note that while a Prohibition Notice can be issued where a landlord fails to comply with an improvement notice, consideration is given where a landlord engages with the process to resolve items identified in the improvement notice. Typically, where the improvement notice has been partially complied with the inspection team engages to try and close out any remaining items.

The table below shows the percentage of dwellings that had issues under each regulation.

<b>Regulation 4 – Structural Condition</b>	56%
<b>Regulation 5 - Sanitary Facilities</b>	15%
<b>Regulation 6 - Heating Facilities</b>	54%
<b>Regulation 7 - Food Preparation, Storage and Laundry</b>	23%
<b>Regulation 8 - Ventilation</b>	40%
<b>Regulation 9 - Lighting</b>	2%
<b>Regulation 10 - Fire Safety</b>	45%
<b>Regulation 11 - Refuse Facilities</b>	2%
<b>Regulation 12 - Gas, Oil and Electricity</b>	46%
<b>Regulation 13 - Information</b>	49%

A property may have multiple issues or a single item. It is important to note that a property could be in very good condition but may not be compliant because for example an adequate information pack was not provided to the tenant, the wrong type of window restrictors may be installed, in multi- unit dwellings there may be a functioning fire alarms system with no errors but the periodic check may be overdue.

The team will continue to work with landlords in such instances and the issuing of a prohibition notice will be on a case by case basis.”

Ms. A.M. Ryan indicated she was satisfied with the response to the motion.

**Management Report continued.**

**Housing & Ukrainian Refugee Accommodation Response**

Ms. S. Carr, Director of Services, responded to queries raised as follows: -

Modular Social Housing

The building of homes using modular construction to aid housing delivery was subject to planning permission.

Energy Efficiency Retrofit Programme (EERP)

The 100 units for 2023 had been substantially completed. The confirmed department allocation for 2024 was awaited. A list of units has been

assessed in accordance with the Departments guidelines which has been generated from units proposed by each Municipal District.

#### Housing Medical Disability Form

It was noted that the completion of these forms by a member of the medical profession was required to certify that the housing applicant had an enduring disability that would require a specific type of housing.

#### Housing Application Form

It was clarified that the section of the housing application form relating to the type of social housing support being sought whereby an applicant could choose to indicate a preference for a demountable dwelling or improvement works in lieu was considered in exceptional circumstances but all such units had to also comply with the County Development Plan.

#### Invalid housing applications.

It was clarified that an invalid housing application arose as a result of missing critical information. In these cases, the application would be returned to the applicant for provision of the relevant information.

#### Housing Construction

The impressive housing construction programme for Tipperary was acknowledged.

### **Item 7.1 Venue for May Meeting**

It was proposed by Cllr G. Darcy, seconded by Cllr K. Bourke and agreed that the May Meeting of Tipperary County Council would be held in Nenagh Golf Club at 10 a.m. subject to relevant Health & Safety Site Specific Risk Assessment.

### **Item 9.1**

#### **Consideration of Orders for the period to the 29<sup>th</sup> February, 2024**

Chief Executive Orders and Delegated Officers Orders for the period to the 29<sup>th</sup> February, 2024 were noted.

### **Item 10.2**

#### **Notice of Motion Ref 2778 – Rates Valuations**

Motion Ref: 2778 was proposed by **Cllr Mark Fitzgerald.**

**“That Tipperary County Council write to the Valuation Office seeking an explanation for the delay in processing rates valuations, especially the appeals that have been submitted since the re-valuation in 2019”.**

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

Subject to Council approval this motion will be forwarded to the Valuation Office for comment/response.

**Item 11.1**

In the absence of **Cllr A. Moloney** it was agreed to adjourn Motion Ref. 2779 to the April Meeting.

**Notice of Motion  
Ref 2779 – Uisce  
Éireann.**

**Item 12.1**

Correspondence as circulated was noted as follows: -

**Correspondence**

- Reply dated 22<sup>nd</sup> February, 2024 from Minister for Housing, Local Government & Heritage
- Reply dated 1<sup>st</sup> March, 2024 from Department of Social Protection re. NOM 2756
- Email dated 7<sup>th</sup> March from Siobhan MacGowan
- Email dated 23<sup>rd</sup> February from Department Housing, Local Government & Heritage re. Development Contribution Waiver Scheme.

**Item 13.1**

The following Notices of Motion from other Local Authorities were noted.

**Motions from  
other Councils**

**Sligo County Council**

“To call on Sligo County Council to write to the Minister of Transport and Bus Éireann to add additional bus services from Dublin Airport to Sligo after 11.15pm at night for the people in this region as planes continue to come into Dublin airport right through the night”.

**Cork County Council**

“Members agreed to write to the Minister for Finance, An Taoiseach, An Tánaiste and All Cork TD’s to ask that the VAT rate for pubs should be reduced down from 23% to 17%. Members also agreed that this letter should be circulated to all Local Authorities”.

**Item 14.1**

Members passed a vote of sympathy to the following: -

**Expressions of  
votes of  
sympathy**

- The family of Dick Gough, Retired ACFO, North Tipperary Fire Service
- Paul Morris on the death of his mother Mary
- Laurence Lee, Thurles MD on the death of his mother Sally Lee
- The Family of Jimmy Farrell, G.O. Roscrea Area, Thurles MD

**Item 15.1**


The meeting then concluded.

**Any Other  
Business**

Signed/\_\_\_\_\_

Cathaoirleach.

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

Signed/   
Ger Walsh,  
Meetings Administrator.

Date: