

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF
TIPPERARY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES,
CLONMEL, AND Remotely Via Zoom
AT 10.00 AM on Monday 9th September, 2024.**

Present

Cllr. D. Burgess, Cathaoirleach.

Cllrs: Ambrose, S. Anglim, M; Bonfield, F; Bourke, K; Brennan, Ml; Browne, L; Bugler, P; Cahill Skehan, K; Carroll, J; Crosse, J; Dennehy, N; Dunne, D; FitzGerald, J; Goldsboro, I; Hourigan M.H.; Kennedy, R; Kennedy, W; Lee, S; McGrath, M; Molloy, R; Moloney, A; Moran, E.; Morgan Walsh, L; Morris, S; Murphy, Marie; Murphy, Ml; O’Heney, J; O’Meara, R; Quirke O’Meara, P; Ryan, J; Ryan, S; Smith, Ml;

Remote

Cllrs: English, P; Fitzgerald, M; Hannigan, J; Lowry, Ml; O’Meara, Ml; Ryan A.M.; Ryan, P.

Also Present

Ms Sinéad Carr, Chief Executive, Mr. J Cooney Director of Services (Acting), Mr. Liam Brett, Director of Services (remote) Mr. E. Lonergan, Director of Services, Mr. M. Connolly, Head of Finance, Mr. B. Beck, Director of Services, Ms. Sharon Kennedy, Director of Services (remote) Mr. Anthony Coleman, Director of Services (remote) Mr. G. Walsh, Meetings Administrator, Cora Morrissey, Senior Executive Officer, Shane O’Dwyer, Senior Executive Officer, Denis Holland, Senior Engineer, Fergal Condon, Administrative Officer, Breda Ryan, Administrative Officer (Acting), Claire Ryan, Financial Management Accountant, Sarah O’Callaghan, Financial Management Accountant, Marie O’Donnell, Senior Staff Officer.

Item 1.1

**Welcome &
Introduction/
Meetings
Protocol**

The Cathaoirleach welcomed all to the September Meeting of the Council, advising 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. He checked with each councillor attending remotely that they could see and hear clearly.

The Meetings Administrator then took a roll call and commenced the meeting with the opening prayer.

On the proposal of The Cathaoirleach, it was agreed to stand adjourned for five minutes as a mark of respect to the late Catherine Curley who passed away on Saturday August 31st. Catherine was mother of our Chief Executive, Sinéad Carr.

On resumption, the Cathaoirleach welcomed Joe Hawkins, Tipperary Comhairle na nÓg to the meeting as an observer.

Item 2.1
Disclosure/or
Conflicts of
Interest

No disclosures or conflicts of interest had been notified to the Meetings Administrator

Item 3.1
Minutes of
Council Meeting
held on 8th July,
2024

The Minutes of the July Monthly Meeting held on 8th July, 2024 were proposed by **Cllr. S. Ambrose**, seconded by **Cllr. Marie. Murphy** and adopted.

Item 3.2
Minutes of
Special Council
Meeting held on
26th July, 2024

The Minutes of the Special Council Meeting held on 26th July, 2024 were proposed by **Cllr. S. Ambrose**, seconded by **Cllr. N. Dennehy** and adopted.

Matters Arising

Cllr. N. Dennehy queried Item 5.11 - Clonmel Local Area Plan 2024-2030 (Minutes of Council meeting held on 8th July 2024) and sought an update. The Meetings Administrator advised that the council was liaising with their legal advisors and no date had been set for the hearing yet. Cllr. Dennehy will be advised once the council has an update.

Item 4.1
Approval to
Attendance

It was proposed by **Cllr. M.H. Hourigan** and seconded by **Cllr. Marie Murphy** and resolved: -

"That pursuant to Section 142 (5) of the Local Government Act 2001 and having regard to (i) the benefits likely to accrue, (ii) the general interest of this administrative area and of the local community (iii) the estimated cost of the proposed attendance and the provision made for such purposes in the annual budget, hereby nominate those listed hereunder to attend the following Conferences/Seminars/Trainings: -

Seminars/ Conferences/ Similar Events	Dates	Venue	Nominees
AILG – 2024 Autumn Training Seminar	11 th & 12 th September	Hillgrove Hotel Co Monaghan	Siobhan Ambrose Kieran Bourke Mary Hanna Hourigan Seamus Morris Sean Ryan Michéal Anglim Declan Burgess John Carroll John Crosse Niall Dennehy John FitzGerald

			Imelda Goldsboro Joe Hannigan Roger Kennedy Andy Moloney Máirín McGrath Richie Molloy Eddie Moran Marie Murphy Michael O Meara Michael Smith
La Touche Legacy Seminar	20th & 21st September	Greystones Golf Club	Seamus Morris John FitzGerald Micheál Anglim
AILG – Overview of the Planning System	26th & 28th September	Bridge House Hotel, Tullamore	John Carroll

Item 4 .2

Noted.

Reports on Conferences

Item 5.1

Section 183 Notice - Disposal of land at Carrigeen Business Park, Clonmel to Mr. Philip Martin

It was proposed by **Cllr S. Ambrose**, seconded by **Cllr I. Goldsboro** 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 0.2ha of land at Carrigeen Business Development Park, Carrigeen to Mr. Philip Martin, for a consideration of €85,000 in accordance with the terms of the Notice under the above section as circulated on Thursday, 29th August 2024”.

The disposal was required to facilitate commercial development.

Item 5.2

Section 183 Notice - Disposal of Freehold Interest in property leased to BCOQ Ltd at Clonmel Business Park, Cashel Road, Clonmel to BCOQ Ltd.

It was proposed by **Cllr S. Ambrose** seconded by **Cllr I. Goldsboro** 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 freehold interest in circa 0.34ha of land at Clonmel Business Park, Cashel Road, Clonmel, to BCOQ Ltd as contained in TY37953 for a consideration of €500 and the Council’s legal fees, in accordance with the terms of the Notice under the above section, as circulated on Thursday, 29th August, 2024”.

The disposal was required as the property is currently used as a depot for the Road Marking Company BCOQ Ltd.

Item 5.3

Section 183

Notice - Disposal of lands at Ballingarrane, Clonmel by way of 5-year lease to Mr. Conor Cooney

It was proposed by **Cllr S. Ambrose** and seconded by **Cllr J. Crosse** 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 5-year lease of property circa 160 acres (64.75ha), situated in Ballingarrane, Clonmel, Co. Tipperary to Conor Cooney in accordance with the terms of the Notice under the above section, as circulated on Thursday 29th August 2024”.

The disposal was required to facilitate the renewal of an existing lease agreement for a further period of 5 years.

Prior to the resolution, Cllr. Niall Dennehy sought clarification on a number of items. He raised concerns that the members were being asked to endorse a statement stating the land was not required by the council. He queried as to why the matter was before the council when the lease was not up until January 2025. He stated that the person from whom the Council acquired the land is unknown and the dates detailed were incorrect. He raised concerns with regard to the sterilisation of 150 acres for 5 years and queried why the land in questions were not being used for advanced factories or the more critical issue of housing.

In response Ger Walsh, Meetings Administrator confirmed that this proposal was a continuation of an existing lease agreement. The lands are not being used for any other purpose at present and there are no immediate plans for the development of the lands. Brian Beck, Director of Services advised that there is a break clause in the lease in the event that the lands could be developed but the renewal of the lease will generate income in the interim. There is ongoing works with the IDA for the Advanced Building Solutions. Works are also being done with the ESB and Uisce Eireann to work towards bringing large scale development to the area. Sinead Carr, Chief Executive, outlined that the lands in Ballingarrane were a key priority for the council. She said it is incumbent on the council to maximise the income that can be generated from the land while they are working through the process. The development of 300 acres at the one time is not possible. It is a long-term vision.

Item 5.4

Section 183

Notice - Disposal of land at 17 Woodview, Cahir, Co. Tipperary to Mr. Patrick Maher.

It was proposed by **Cllr M. McGrath**, seconded by **Cllr Marie Murphy** 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 0.002ha (20sqm) at No. 17 Woodview, Caherabbey Upper, Cahir, Co. Tipperary to Patrick Maher for a consideration of €100.00 plus the council’s fees in accordance with the terms of the Notice under the above section, as circulated on Thursday, 29th August 2024”

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

Item 5.5

The Cathaoirleach, at the outset, noted that the Finance (Local Property Tax) Act 2012 (as amended), provides that Elected Members of a local

Local Property Tax (LPT)

authority may pass a formal resolution to vary the basic rate of the Local Property Tax (LPT) for their administrative area by a percentage known as the local adjustment factor. At the meeting set by Tipperary County Council to consider this matter, the members may set a local adjustment factor within the range of +/-15% of the basic rate, or, may decide not to adjust the basic rate.

The Local Property Tax (Local Adjustment Factor) Regulations 2022 which came into effect from 18 July 2022 provided for one main change, the 2022 regulations do not refer to yearly decisions but instead to "a period as specified in the resolution", meaning elected members can now set a local adjustment factor for a period of their choosing and longer than one year.

The Local Property Tax (Local Adjustment Factor) Regulations 2022 sets out the process for a variation in Local Property Tax and requires:

- A public consultation period requesting written submissions from the public.
- A statement setting out the financial position of the local authority.
- Estimation of income and expenditure for the period for which the varied rate is to have effect.
- Chief Executives report on implementing a local adjustment factor.

Following consideration of the Chief Executives Report, the Elected Members may set a local adjustment factor for a specified period within the range of +/- 15% of the basic rate, or, may decide not to adjust the basic rate. Both the Revenue Commissioners and the Minister for Housing, Planning, and Local Government must be formally notified of the resolution passed by the Council by 5th October 2024.

The Cathaoirleach called on the Head of Finance, Mr. Mark Connolly to make a presentation which had also been presented to them at the recent workshop. He thanked him for making himself available and the Head of Finance thanked the elected members for their proactive engagement thus far.

Mark Connolly outlined some background history to the LPT. Tipperary County Council was notified by Circular Fin 09/2024 of provisional LPT allocation. The total baseline LPT to be provided in 2025 is €27,451,602, unchanged from 2024 and Tipperary County Council received the most of any local authority in the country. This amount is made up of LPT of €11,255,219 raised in Tipperary and this amount stays in Tipperary. There is additional exchequer funding of €16,196,384. He stated that a 1% variation on the LPT would provide an additional €112,552. The presentation which had been provided to the members at the workshop on the 2nd of September and circulated in advance of the meeting, outlined that each local authority has the power to vary the basic rate of LPT by up to 15%. Any resultant additional income from an upward variance is fully allocated for the provision of local services. A reduction of the LPT basic rate reduces the income for services. He stated that one submission was received from the public consultation. He reminded members where the

LPT fits in on the Budget 2025 process and he went through the key dates in this process and outlined how the additional LPT for 2024 had been allocated and stated the importance of this income to community projects and leisure and arts centres. Varying the LPT upwards by 10% from 2020 to 2024 resulted in additional income of circa 5.75 million. He outlined to the members where the additional GMA funding had been spent in the various districts. A breakdown of LPT Allocations for 2019-2024 was detailed.

The Head of Finance proposed to vary the basic rate of LPT upwards by 15% over the base rate for 2025 and subsequent years (over the lifetime of this council) which would be a 5% increase over the LPT variation in 2024.

He referred to the options outlined in the workshop. Varying the rate over the life time of the council as proposed would give the Municipal Districts greater certainty in relation to funding streams for the years ahead. As with all resolutions, the resolution to set a local adjustment factor can be revoked in accordance with the provisions included in Standing orders of Tipperary County Council. The impact of the proposed LPT Variation on homeowners in 2025 was outlined and the Head of Finance reiterated that the proposed average increase for 2024 for 94.65% of homeowners will be less than €10.00 per year or 19 cent per week. The proposed variation would generate funding of €1.68 million for 2025 which it is proposed to allocate to various community projects as outlined in the presentation.

Sinéad Carr, Chief Executive acknowledged the volume of information and figures that the elected members were presented with. She also acknowledged a tough decision was before them. The increase in material costs and energy costs for leisure centres was noted and she said that the 5% increase was going directly back into community projects. The 1.69 million will have a significant impact on communities and the elected members will have that to spend as how they see fit.

In response, Cllr. D Dunne stated that he could not support the proposal and proposed that it goes back to the base rate. He said he favoured going back and reviewing the LPT every year, noting there was an inherent unfairness in the property tax. Local Authority Houses are being undervalued. There are no allowances for lower income personnel. He stated that GMA's are allocated differently across the 5 Districts. He would like to see audits of where cost savings are made.

Cllr. S Morris expressed dissatisfaction at what was presented at the workshop. He said people are struggling already and the working people's pockets were being affected. Leisure centres were already funded. A discussion needs to be had on government funding for services. Cllr. Morris said he would propose that the members do not support the 5-year term.

Cllr. Liam Browne said that there was no account taken of inflation. This charge was on top of the people's ability to take a mortgage.

Cllr. Mairín McGrath said since 2020 there was no increase in the allocation from the department. IPB footpath funding and Active Travel funding has been negatively impacted. Development levies have been decreased. Tax

payers are being asked to make up this difference. She considered the 15% too much.

Cllr Pat English suggested that the proposal for the rate and the proposal for the term of the rate were two different matters and should be taken separately. He said that his party is opposed to tax on the family home. This was not intended to be a long-term tax when it was rolled out and the funding from central government has been cut as a result of this. He seconded Cllr. D Dunnes proposal to revert to the base rate.

Cllr. A.M. Ryan suggested that there are other means of raising revenue funding. She referred to levies on vacant commercial buildings and amounts outstanding and more efforts should be made to collect them. The stripping of funding to local government is also a problem.

Cllr. R. Molloy acknowledged it is a wrestle to know what to do each time the proposal for the LPT is put to the members. There are a lot of real costs to people already. There is a lot of taxes in place already and he could not support a 15% increase.

In response to members queries, Mark Connolly, Head of Finance stated that the valuation of properties is set out in legislation. The landlord pays the tax. Grant aid is given to leisure centres that local authorities support. Part of a boards responsibility of leisure centres is to ensure the centre are run in a correct financial way. Copies of financial accounts are signed off by independent auditors. The local property tax band revaluation process saw properties falling into lower tax bands as a result of the revaluation exercise in 2022. There is no indication as to when the next revaluation exercise will be. The impact of inflation was noted. He said that if additional funding is not approved then it will result in a reduction of services. His job is to show where additional income can be sourced but it will be a decision for the members.

The Head of Finance stated that the uncollected Derelict Sites Levies referred to are not easy to collect. It requires a significant amount of human and financial resources and relying on these for ongoing and recurring expenditure isn't viable for that reason. It is a slow process and involves ongoing engagement. They are prone to fluctuations also which increases the risk but engagement is ongoing to progress derelict sites and other income generating sources.

Cllr. MI. Smith said the presentation did somewhat of an injustice to the GMA. This proposal increases the money across the county. He referred to the various projects that have benefited from income generated from LPT. LPT is about value for money and whether the members believed it is obtained. Long term planning was possible with the proposal.

Cllr. Michael Smith proposed to vary the basic rate of Local Property Tax (LPT) by upwards of 15%. This represented a 5% increase on last year. He proposed the 15% remain in place for a period of 3 years rather than 5 years. For those three years he proposed an increase in the General Municipal Allocation (GMA). The GMA as proposed will be €1,011,279.00 and he believes that it will benefit hugely the local groups in Tipperary.

Cllr. Phyll Bugler seconded the proposal, noting the value of the GMA in her area and other areas. The GMA allocation will give the elected members additional discretionary funding in their own districts.

Cllr. D. Dunne reminded the members of his proposal and referred to the need for a vote. He also mentioned value for money and referred especially to the cost of insurance at festivals and the fact that the local authority and the festival committees both pay insurance. The Cathaoirleach advised him that this was a budget matter.

Mark Connolly said it was the elected members role at District level to decide how the GMA would be distributed.

Cllr. F Bonfield said the LPT decision is a difficult one but she acknowledged the work done in the county from the LPT monies. Tipperary also benefit significantly from the equalisation fund. She hoped the increase in the GMA would see her work with other elected members to advance projects. She believed that supporting the increase was the correct decision.

Cllr. A Moloney agreed with Cllr. Ml. Smith that long term planning is important. He referred to the various projects and also the businesses in the county that need the support of the GMA. The extra percentage is 19 cent per week. Cllr. A Moloney made a counter proposal that the variance be left as it was for 2024 i.e. A 10% increase on the base level.

Cllr. S. Morris believed that such projects should be funded by local government funds. He proposed that the increase only be set for the year, and the vary only basic rate of Local property tax by upwards of 10%.

Cllr. L.M. Walsh said the elected members had to be realistic and the increase was justified as outlined in the presentation.

The Cathaoirleach advised the members that the proposal by Cllr. D. Dunne and seconded by Cllr. Pat English was in the direct negative to the proposal submitted by Cllr. Ml. Smith and seconded by Cllr. P Bugler and he passed the matter over to the Meeting Administrator.

The Meetings Administrator noted that there was an amendment before the members proposed by Cllr. Ml. Smith and seconded by Cllr. Phyll Bugler to apply a 15% increase on the base rate for the period 2025-2027 and allocated as follows

- €1,011,279 to the GMA (General Municipal Allocation)
- €627,000 to Leisure Centre/Art Centre & Operational Funding
- €50,004 District Specific projects with a Climate Action focus.

The Meetings Administrator also noted the proposal from Cllr. Andy Moloney to amend the increase to 10% above the base rate only but that a vote would need to be taken on the first amendment proposed and if that proposal is defeated, a vote on Cllr. A Moloney's proposal would be required. The Cathaoirleach invited the Meetings Administrator to commence the roll call on the proposal by Cllr. Michael Smith, seconded by Cllr. Phyll Bugler.

On request of the members, it was clarified that the members were being asked to vote to on the proposal by Cllr. MI. Smith and seconded by Cllr. Phyll Bugler to increase the base rate of LPT by 15% for a period of 3 years (2025-2027).

A vote was taken as follows:

	COMHAIRLEOIR	FOR	AGAINST	ABSENT	ABSTAIN
1.	Ambrose, Siobhan	✓			
2.	Anglim, Micheál	✓			
3.	Bonfield, Fiona	✓			
4.	Bourke, Kieran	✓			
5.	Brennan, Michael	✓			
6.	Browne, Liam				✓
7.	Bugler, Phyll	✓			
8.	Cahill Skehan, Kay	✓			
9.	Carroll, John	✓			
10.	Crosse, John	✓			
11.	Dennehy, Niall		✓		
12.	Dunne, David		✓		
13.	English, Pat		✓		
14.	Fitzgerald, John	✓			
15.	Fitzgerald, Mark	✓			
16.	Goldsboro, Imelda	✓			
17.	Hannigan, Joe	✓			
18.	Hourigan, Mary	✓			
19.	Kennedy, Roger	✓			
20.	Kennedy, William	✓			
21.	Lee, Shane	✓			
22.	Lowry, Michael	✓			
23.	McGrath, Mairín		✓		
24.	Molloy, Richie		✓		
25.	Moloney, Andy		✓		
26.	Moran, Eddie	✓			
27.	Morgan Walsh, L	✓			
28.	Morris, Seamus		✓		
29.	Murphy, Marie	✓			
30.	Murphy, Michael	✓			
31.	O’Heney, John	✓			
32.	O’Meara, Michael			✓	
33.	O’Meara, Ryan	✓			
34.	Quirke O’Meara, P	✓			
35.	Ryan, Shiner, A.M.		✓		
36.	Ryan, Jim	✓			
37.	Ryan, Peggy	✓			
38.	Ryan Séan	✓			
39.	Smith, Michael	✓			
40.	Declan Burgess	✓			
	TOTALS	30	8	1	1

The Meetings Administrator noted that there were 30 votes in favour of the proposal, 8 votes against with 1 absentee and 1 abstention, deeming the motion passed.

The proposal to increase the local adjustment factor by 15% for the three-year period, 2025 to 2027, was therefore approved.

"that the Local Property Tax be increased by 15% for 2025, 2026 & 2027 i.e. 15% increase on the basic rate and allocated as agreed by the members as follows:

- **GMA**
- **Leisure and Arts Centre operational funding**
- **District-specific projects with a climate action focus"**

Item 5.6
Consideration & Adoption of Draft Strategic Policy Committee (SPC) Scheme 2024-2029.

In accordance with Section 48 of the Local Government Act, 2001 as amended by Section 41(a) of the Local Government Reform Act, 2014, the Chief Executive's Report on submissions received on the Strategic Policy Committee (SPC) Scheme 2024-2029 was circulated for consideration by the members.

It was noted subject to approval of the Draft Scheme as presented that the Council would contact National Key Stakeholder Pillars and the PNN seeking nominations for their particular SPC as outlined in the adopted scheme, allowing sufficient time for the selection of representatives.

It was also noted that amendments to the scheme were recommended as follows.

- Statements will be included in the draft scheme to allow for climate actions, to be considered as part of each SPC's work programme,
- the promotion of wellbeing and
- the use of Irish across all SPCs.

The table on Pg.10 had been amended to reflect the number of Environmental Representatives on the Environment & Climate Action SPC to two.

The PPN section has been amended to ensure there is a minimum of three seats on each SPC, one representative from each electoral college.

- Draft Standing orders will be prepared and brought to the full council following consultations with the SPC's

It was noted that the selection of the Local Authority Nominees would take place at the October Meeting of the Council with the ratification of the Sectoral Nominees also listed for that meeting.

In response to a query from Cllr. John Carroll the Meetings Administrator advised that the matter of media attending SPC meeting would be covered in the draft standing orders.

It was proposed by Cllr. R Kennedy, seconded by Cllr J. Carroll.

“That the Draft Strategic Policy Committee Scheme 2024-2027 as presented together with the recommendation as outlined in the Chief Executive’s Report as circulated be and is hereby adopted”.

Item 5.7

**Draft Corporate
Plan Framework
2025-2029**

The Meetings Administrator referred to the July meeting where the members were advised of the Council's statutory obligation to prepare a Corporate Plan for the term of the Council setting out a strategic framework and vision for the future of Tipperary. The plan describes the main priorities and core values that will guide the Council's work over the specified period. The Corporate Plan must be approved within 6 months from the date of the Annual meeting.

To gather input for the plan, a pre-plan consultation was conducted during July and August. This involved seeking input from internal stakeholders within the LA, including staff, councillors, and CPG, as well as external stakeholders such as PPN and representative groups like the Tipp Chamber of Commerce. The consultation process also included promoting the plan on the website and social media platforms. A total of 83 submissions were received during the consultation, and these have been instrumental in drafting the Draft Corporate Plan Framework. This framework sets out Core Principles for endorsement. Consideration will also be given to NOAC reports and recent policy developments.

Subject to approval of the Council, it is proposed to proceed to public consultation Phase 2 and bring back the final plan to the Council in December for approval.

It was proposed by **Cllr J. Carroll** seconded by **Cllr P. Bugler** and resolved: -

“To proceed to Public Consultation Phase 2 with the Draft Corporate Plan Framework 2024-2029 as presented.

Item 5.8

**Appointment of
External
Representatives
to the Audit
Committee**

The Local Government Reform Act, 2014 and the Local Government (Audit Committee) Regulations 2014 (S.I. No. 244 of 2014) require a local authority to establish an audit committee within 3 months of the polling day for the election of the incoming members of the local authority.

The Cathaoirleach referred the members to the report circulated in advance of the meeting which outlined:

The functions of an audit committee as to:

- Review financial and budgetary reporting practices and procedures within the local authority;
- Foster the development of best practice in the performance of the internal audit function;
- Review any audited financial statements, auditors report etc.
- Assess and promote efficiency and value for money (VFM).
- Review systems that are operated by the local authority for the management of risks.

The Local Government (Audit Committee) Regulations 2014 require that the audit committee shall consist of five members consisting of not more than two serving or retired Councillors and not less than three external members and that two or more persons on the audit committee must have knowledge or experience in finance, audit or accounting.

At the Annual Meeting of Tipperary County Council held on the 21st June, 2024, the Members of the Council nominated Councillor William Kennedy and Councillor Roger Kennedy to the audit committee of Tipperary County Council.

Two of the existing three external members have agreed to be nominated to the audit committee for the period 2024-2029 as follows;

- Mr. Oliver Killeen, former Finance Officer/ Head of Finance, Limerick County Council.
- Prof. Denis Harrington, Head of the Department of Graduate Business, Waterford Institute of Technology.

Mr. Jimmy Kearns, who was a member of the Tipperary County Council Audit Committee, resigned in 2024 and it is recommended that this vacancy be filled by Mr. Jim Ryan, resident in Clonmel and former senior manager with Allied Irish Bank. Mr. Ryan had particular responsibility in AIB for customer services, financial services, risk management, governance and compliance, auditing, team ethics and coaching. Mr. Ryan is a retired Fellow of the Institute of Bankers in Ireland.

It was proposed by **Cllr. M.H. Hourigan** and seconded by **Cllr. P. Bugler** and resolved: -

“That in accordance with the provisions of the Local Government Reform Act 2014 and the Local Government (Audit Committee) Regulations, 2014, approval is given for the establishment of an audit committee and the approval of the persons outlined above as endorsed by the Corporate Policy Group and their appointment to the Audit Committee”.

Item 5.9 **Conferral of** **Civic Reception**

It was proposed by **Cllr. Seán Ryan** and seconded by **Cllr. David Dunne** and resolved: -

“That the Civic Reception for the Tipperary Minor Hurling Team and Management, The Tipperary Minor Camogie Team & Management and the Tipperary Junior Camogie Team & Management would take place on Saturday 28th September 2024 in Brú Ború, Cashel at 10 am.”

Item 6.1 **Nominations to** **the Board of** **Tipperary** **Transport**

The Cathaoireach advised the members that he has brought the matter of a Civic Reception for Olympian, Daíre Lynch to the CPG and the members will be advised in due course.

The Cathaoirleach invited nominations for five members to the Board of the Transport Coordination Unit CLG.

Coordination Unit CLG

It was agreed on the proposal of Cllr. Jim Ryan and seconded by Cllr. David Dunne to permit a recess of five minutes to allow him to seek clarification on this item.

Following resumption of the meeting

It was proposed by **Cllr. Jim Ryan**, seconded by **Cllr. John O’Heney** and resolved: -

“That Cllr. Liam Browne be and is hereby appointed member to the Tipperary Transport Coordination Unit CLG”.

It was proposed by **Cllr. David Dunne**, seconded by **Cllr. Mairín McGrath** and resolved: -

“That Cllr. Ann Marie Ryan be and is hereby appointed member to the Tipperary Transport Coordination Unit CLG”.

It was proposed by **Cllr. Michael Smith**, seconded by **Cllr. Phyll Bugler** and resolved: -

“That Cllr. Siobhan Ambrose be and is hereby appointed member to the Tipperary Transport Coordination Unit CLG”.

It was proposed by **Cllr. Phyll Bugler**, seconded by **Cllr. Michael Smith** and resolved: -

“That Cllrs. John FitzGerald and Michael Brennan be and are hereby appointed members to Tipperary Transport Coordination Unit CLG”.

The Cathaoirleach invited a nomination for one member to the Board of the Rearcross Food Works. North Tipperary Genealogy & Heritage Services CLG.

Item 6.2 Nomination to the Board of Rearcross Food Works

It was proposed by **Cllr. Marie Murphy**, seconded by **Cllr. Mary Hanna Hourigan** and resolved: -

“That Cllr. Phyll Bugler be and is hereby appointed member to the Board of Rearcross Food Works”

The Cathaoirleach invited a nomination for one member to the Board of North Tipperary Genealogy & Heritage Services.

Item 6.3 Nomination to the Board of North Tipperary Genealogy & Heritage Services CLG.

It was proposed by **Cllr. Peggy Ryan**, seconded by **Cllr. Mary Hanna Hourigan** and resolved: -

“That Cllr. Phyll Bugler be and is hereby appointed member to the Board of North Tipperary Genealogy & Heritage Services CLG”.

Item 7.1 Consideration of

The Cathaoirleach referred to the Management Report as circulated with the Agenda noting that the reports related to the Directorates based in

the Management Report

Clonmel and any queries/clarifications would be dealt with by the relevant Director of Services.

- Economic, Community and Rural Development
- Environment & Climate Action
- Housing, Ukrainian Refugee Accommodation Response
- Corporate Services

Economic, Community and Rural Development

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

Community Recognition Fund

The local authority is obliged to retain 20% of the funding allocation until January 2025 and attempts were made to allocate the full 80%. Any balance remaining will go in the January call and work will take place with the unsuccessful applicants for the January call. There will be a public opportunity for others to apply.

Littleton Labyrinth

Engagement is taking place between the local authority and Bord na Mona on Phase 2 of this project. They intended coming in for Planning for Phase 2. Planning will be an element of all applications on Just Transition. Not everyone will get through planning. A review will take place after the planning process. The success of Phase 1 was noted.

Community Action Plans

This was run up to 2019/2020 around particular areas. Planning have looked at different models. Brian Beck will revert to Cllr. Séan Ryan regarding his query on a rollout of Community Action Plans on a county wide basis. Community teams are there to link in with elected members in the specific areas.

Camper Van Site for Thurles

It was noted that such a project was not eligible for funding under the Just Transition Programme. The local authority will work with districts on other options. It was noted that camper van sites are a good source of revenue in an area.

Town Bus Services

It is hoped that the NTA will see the success of this service in other towns like Clonmel and will expand it. Local Link is a growing service in Tipperary and the plan is to be proactive and grow this service.

Planet Youth Project

It was noted that the launch is planned for the 23rd of September in the TÚS (Technological University of the Shannon) and Minister Butler is to attend. 16 schools have signed up to the project. Efforts are being made to get more to sign up. It was noted that members have received an invite to the launch.

National Planning Framework

It was acknowledged that this document is hugely important. Members have the opportunity to make submissions. The Southern Regional

Assembly will also make a submission on behalf of the Council. It was noted that it is just a review and not a full rewrite. Planning are working on a submission. Planning have reached out to all sections and elected members were advised if they wish to make comments they are welcome and they should contact the Planning Section.

Environment & Climate Action

Mr Eamon Lonergan, Director of Services and Mr Denis Holland, S.E. responded to queries raised as follows:

CCTV

The Littleton scheme has been approved by the Garda Commissioner. The District Administrator is currently working with the promoters of the scheme, to progress it. While the operating cost has to be assessed, it was noted that the project is at an advanced stage of progress. The funding of CCTV Schemes will require further consideration in the context of Budget 2025.

Covert CCTV Schemes

New legislation is to come into effect and oversight boards are to be set up in each local authority with codes of practice.

Community Climate Action Fund

25 of 85 applications were successful. 60 schemes are waiting to go. A lot of work is progressing behind the scenes with stakeholders with regard to the Decarbonization Zone in Littleton. If applications can tie into the Decarbonization works element this would be beneficial.

Wandering Dog Issues/Dog Wardens

It was acknowledged that the local authority shared the members concerns on irresponsible dog owners and the issues that are arising as a result. It was noted that a national working group was set up in 2023. In May of this year two million of additional funding for 2025 that will enable the recruitment of additional dog wardens. The Nenagh Dog Shelter and staff were commended. The ban on XL bully dogs will come into effect in October and it was noted that there are currently 21 licences issued for such breeds in Tipperary. There will also be a ban on breeding these Dogs in October with a further ban on owning such breeds coming into force in February 2025. It is hoped that a new awareness campaign and on-the-spot fines will provide positive impact but it won't necessarily change bad owners. It was noted that it is a health & safety issue.

Environment advised that they will liaise with the Housing Tenant Liaison Officer where appropriate. It was noted that the officers do not have the power to go into private property but tenancy agreements can be examined. Specific issues raised by Cllr. Liam Browne with regard to the Cashel area were noted and will be looked into further. A response to queries raised by Cllr. Ann Marie Ryan (Shiner) on the powers of the Dog Warden will be followed up. Powers are there to seize dogs, issue fines and euthanise dogs.

There are currently two vets based in Tipperary Town. These are funded by the FSAI. Future changes in this are being looked into with the department and the effect it might have at a local level.

Environmental Complaints

The number of complaints is steady year on year. The local authority reports annually to the EPA on the types of complaints and the local authority resolve complaints that are within their remit. It was noted that the complaints vary in nature.

Household Waste Inspections

These are carried out on an ongoing basis. Feedback was welcomed from elected members on areas that warrant particular focus.

Graveyards

The local authority is working with legal advisors on Kilboy Graveyard, Silvermines in an attempt to have the burial ground registered with the local authority. The district members will be notified when there is a specific update. Timoney Graveyard was noted as being one of over one hundred and thirty remotely located burial grounds with access difficulties. This burial ground was noted as being in seldom use. Co-operation from landowners is needed to get cooperation to gain access and support from the local elected members would be welcome. Elected members will be updated on the queries raised. The increased cost of burial ground maintenance and the shortfalls from grant funding was noted.

Pothole Claims

97 pothole claims were submitted in August 2024. A breakdown on the number of claims per District would be provided.

Vacancy & Dereliction

It was noted that Shane Grogan, A/SEO, will head up a new Vacancy & Dereliction Team in the next month or so. Environment are feeding into this team. Funding from the URDF will be aimed at tackling vacancies and dereliction. Planning are responsible for this section. It was noted that dealing with vacancies and derelictions are complicated. Planning would be responsible for organizing any future workshops for the elected members.

Housing, Ukrainian Refugee Accommodation Response

Mr Jonathan Cooney, A/Director of Services and Ms. Sinead Carr, Chief Executive responded to queries raised as follows:

Special Housing Meeting

It was requested that a date be agreed with Cathaoirleach for a Special Housing meeting and as advised by Ms. Sinead Carr, Chief Executive, to arrange accordingly with focus on 3 key themes:

- Affordable Housing & Delivery (invite to issue to CIF to present on challenges
- Social Housing Scheme timeline and issue with waste water treatment capacity
- Notice to Quit and Homelessness update

It would also include input from the Construction Federation and a Finance speaker with focus on Mortgages.

Disability Housing

55 applicants housed this year to date. Housing are looking to ways that they can prioritise this area going forward and applications of this nature are welcome.

Housing Allocations/Choice Based Letting.

This is a combination of Choice Based Letting and needs at particular point in time. The proposed workshop will provide more details to the members. A query raised by Cllr. Mairín McGrath on C.B.L. Scheme behind Duneske, Cahir will be addressed.

Voids & Acquisitions

There have been 36 acquisitions to date this year and 25 sale agreed is similar to 2023.

Tipperary are doing well statistically in terms of voids. In the period 2019/2020 4.5% of housing stock was vacant. In the last 18 months this figure is down to 1.8% and remains steady. The local authority is sensitive to the needs of the families. It was noted that voids are an ongoing process in a local authority. It can take a number of months to get the void properties up to an appropriate standard to re-let and at an appropriate energy rating standard.

Notice to Quits

It was noted that there were 72 notice to quits this year v 144 the previous year. It was noted that where a notice to quit situation arises, all options must be looked at and the department is open to applications for such purchases. The local authority has not been instructed 'not to buy'. Housing are the point of contact if no options are available to those who find themselves with no option in a notice to quit situation.

Affordable Housing Schemes

Tipperary County Council have made cases to the Department of Housing regarding affordability issues in Clonmel, Nenagh and Thurles. A workshop was held in May with developers. The response to a tender, published in June last, seeking affordable housing solutions was poor. The difficulty sourcing builders was noted as they are building houses that they can sell themselves. Engagement with local builders in Clonmel has recommenced in recent weeks. If this engagement is positive the local authority will go back to the market again.

The issue with Uisce Eireann in Cullen Village was noted. In recent months the Approved Housing Body have recently engaged with Tipperary County Council and a revisit from the APHB is awaited. Tipperary County Council approve of the project in principal. It is planned to go through the project at October planned induction workshop.

Windows & Doors

This is dependant on funding being available. It was noted that while the Energy Retrofit Scheme is not a windows and doors scheme it is an

opportunity to get works done. The department is rolling out a planned maintenance programme and surveys of local authority housing stock will be undertaken and funding sought.

Rent a Room

It was noted that details of this scheme are available on the council website. Housing will clarify position to councillors re rules on council tenants and HAP tenants partaking in the Rent a Room Scheme. It is the view that HAP tenants aren't permitted to apply under this scheme but it will be clarified.

Tenancy Sustainment.

'Start' was clarified as an equivalent tenancy sustainment service in the South of the county. There are county wide tenancy sustainment services also.

Item No. 8.1 **Agree Date for** **Councillor** **Workshop's**

It was proposed by Cllr. Roger Kennedy and seconded by Cllr. R Molloy and agreed that the following councillor workshops would be agreed:

- Tipperary County Council Water Supply Project & other Water Services workshop - 17th September 10 am to 12.30 am (Nenagh and via Remote Access)
- Induction Workshop (8th October)
- Roads (Targeted Investment Intervention Programme - Red Roads Initiative) (1st October – Thurles MD TBC)

Item 9.1 **Consideration of** **Orders for the** **period to the** **31st of August,** **2024.**

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

Item 10.1 **Notice of Motion** **Ref. 2858** **Differential Rate** **Scheme**

The Motion Reference No: 2858 was proposed by **Cllr. R. Molloy**

“That this council will disregard the half-rate Carer’s Allowance in full, the Disability Allowance received by children aged between 16 and 18 in full, and the Carer’s Allowance at the basic rate of social welfare when calculating the rent of Council tenants under the Differential Rent Scheme. It’s my understanding that there are plans for a national Differential Rent Scheme, however, this has yet to be published. The Council should implement changes to its Differential Rent Scheme based on this motion, and again when the national differential rent plan has been published.”

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

A number of members spoke in support of the motion and a number outlined the issues that arise if the proposed motion was to be carried.

The reply to the Motion was noted as follows: -

A similar motion was presented at the September 2023 Plenary Council meeting and a comprehensive analysis was carried out and presented at that meetings. The Analysis showed:

- Implementation of the motion would make a number of carers worse off as a shortfall in rents of €800,000 would need to be met.
- At the time the analysis was carried out across 7 counties Tipperary was lowest minimum rent even for people on carers.
- Implementing would put a larger burden on people at the minimum rent (these people would earn less than people on carers)
- Removing the max cap will adversely impact approximately 15% of all carers.

It is suggested that if the level of carers were addressed nationally rather than locally then the burden could be eased for carers without adversely impacting the more vulnerable who are paying minimum rent.

Following further consideration, it was proposed to amend the wording of the motion to request the Minister for Environment, Local Government & Heritage to take the matter into consideration as part of the National Rent Scheme review.

Item 10.2

Notice of Motion Ref. 2863

Accessibility Audit on Public Buildings

The Motion Reference No: 2863 was proposed by **Cllr. A.M. Ryan**

'That Tipperary County Council carry out an audit of all its public buildings and public outdoor spaces, with a view to improving universal accessibility. The audit should be in line with Best Practice Access Guidelines publication from the Irish Wheelchair Association'.

- **In 2019/2020 the Irish Wheelchair Association surveyed over 15,000 of its members across Ireland and found that:**
- **77% of people with physical disabilities have poor or no access to public spaces and amenities because of issues with pavements, parking, pedestrian crossings and more.**
- **66% of people reported difficulty accessing public buildings, which include healthcare, retail and leisure facilities.**
- **68% of people experience inadequate toilets, lifts, emergency exits and parking machines in public spaces.**
- **63% said that they often faced poor or no accessible public parking at public buildings.**
- **73% said they often faced steps to the main entrance of public buildings.**

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

A number of members spoke in support of the motion.

The reply to the Motion was noted as follows: -

The Accessibility Officer in the Council works with those with disabilities and their representative bodies, so that access can be provided to services provided by the Council. Where capital works are being carried out, the Accessibility Officer works with the relevant Sections to seek to meet the

universal accessibility requirements in the delivery of these works. Recent works to Council offices, libraries and other Council buildings has seen many of the universal accessibility requirements addressed. Where future construction works, including public realm works, are being carried out by the Council, the universal accessibility requirements are considered in the design and planning of these works.

An audit of Outdoor Recreation Activities and Angling Facilities in Tipperary and their compliance with the principles of Universal Accessibility was completed in Q2 2024. This audit examined 33 sites across all 5 Municipal Districts and included recommendations for enhancement of outdoor recreation and angling, including future interventions to improve Universal Accessibility, that could improve and promote Tipperary as a good place to live, work and visit for those with disabilities. TCC is seeking to respond to these recommendations with relevant organisations. Opportunities for further focused audits will be examined.

The Council continues to work through partner agencies to seek to identify problem areas and to seek funding streams to respond to these concerns. The Accessibility Officer is available to liaise with organisations like the Irish Wheelchair Association to respond to particular concerns they might have in Tipperary.

It was agreed that a copy of audit report completed on Outdoor Recreation Activities and Angling Facilities in Tipperary and their compliance with the principles of Universal Accessibility will be circulated to all councillors. Members were advised that the Accessibility Officer is Aíne Roche.

**Item 11.1 &
11.2 & 11.3
Correspondence**

Correspondence as circulated was noted as follows: -

- Reply dated 9th August, 2024 from the Office of Minister of Housing, Local Government & Heritage, Darragh O'Brien (Ref. NOM 2793)
- Reply dated 14th August 2024 from the Department of Agriculture (Ref. NOM 2813)
- Reply dated 27th August 2024 from the Office of the Minister for Transport (Ref: Request to seek meeting with Deputation from Tipperary County Council re N24)

**Item 12.1
Motions from
other Councils**

The following Motions from other Councils were noted.

Wexford County Council

"That Wexford County Council write to Minister Helen McEntee and An Taoiseach Simon Harris to ask the Government to adopt a zero tolerance approach toward gender based violence and ask that mandatory minimum sentencing be introduced in every conviction of sexual, domestic or gender based violent assault".

Item 13.1

Members passed a Vote of Sympathy to the following:

Expressions of votes of sympathy

- Sinead Carr, Chief Executive on the death of her mother Catherine Curley
- Geraldine Manning, Motor Tax, Nenagh on the death of her Mother in Law Ina Manning
- John Fogarty, GO, Tipperary, Cahir, Cashel MD on the death of his mother Nancy Fogarty
- Kieran Ladden, SEE, Planning, Clonmel and Emma Ryan, EE, Clonmel Borough District on the death of his father and her father in law Francis
- Joan Sharkey, Motor Tax, Nenagh on the death of her husband Damien
- Kieran Murphy, GO, Waller's Lot Civic Amenity Centre Cashel on the death of his mother Mary
- The family of Mick McCarthy, Retired Senior Executive Engineer, Water Services, Clonmel
- Jackie Coffey, Finance, Nenagh on the death of her father Tom Mitchell
- Mary Carroll, Former AO, Environment on the death of her brother Bobby Richardson
- Donnacha Ryan, G.O., Roads, Nenagh on the death of his mother Mary
- The family of Michael Walsh, former Waste Water Inspector with Clonmel Corporation
- Mary Cleary, S.O., Motor Tax, Clonmel on the death of her father Michael
- Helen FitzGerald, C.O., Carrick on Suir MD on the death of her father Noel Walsh

Votes of Congratulations

Members passed a vote of congratulations to the following: -

- Sinéad Carr on her appointment as Chief Executive of Tipperary County Council.

Item 14.1

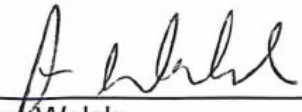
There being no other business, the Meeting concluded.

Any Other Business

Signed/ _____
Cathaoirleach.

Date: _____

Signed/



Ger Walsh,
Meetings Administrator.

Date:
