

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING
OF
TIPPERARY COUNTY COUNCIL
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, NENAGH
AND REMOTELY VIA ZOOM
AT 10.00 AM ON MONDAY 13th JANUARY, 2025.**

Present

Cllr. D. Burgess, Cathaoirleach

Cllrs: Acheson, T; Ambrose, S; Anglim, M; Bonfield; F; Brennan, M; Bugler, P; Cahill Skehan, K; Carroll, J; Crosse, J; Dennehy, N; FitzGerald J; Fitzgerald, M; Hannigan J; Hourigan, Mary Hanna, Kennedy, W; Lowry, MI; McGrath, M; Molloy, R; Moran, E.; Morgan Walsh, L; Morris, S; Murphy, Marie; O’Heney, J; O’Meara, MI; Quirke O’Meara, P; Ryan (Shiner), AM; Smith, MI;

Remote

Cllrs: Bourke, K; Browne, L; Dunne, D; English P; Goldsboro, I; Lee, S; Moloney, A; O’Meara J.P.; Ryan, J; Ryan, P, Ryan S;

Apologies

Cllrs: Kennedy, R;

Also Present

Ms Sinéad Carr, Chief Executive, Mr. Ger Walsh, Meetings Administrator, Mr. Liam Brett, Mr. Mark Connolly, Mr. Brian Beck, Ms. Sharon Kennedy, Mr. Anthony Coleman, Directors of Services. Mr. Jonathan Cooney, A/Director. Mr, John Nolan, Mr. James Murray, Mr. Kieran Malone, S.E.’s Robert Johnston S.E.E., Damien Dullaghan, County Librarian, Mr. Michael Moroney, S.E.O., Mr. Shane Grogan, A/S.E.O., Anne Marie Devaney, A/ Senior Planner,

Item 1.1

**Welcome &
Introduction/
Meetings
Protocol**

The Cathaoirleach welcomed all to the January 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, seconded by Cllr. Mary Hanna Hourigan, it was agreed to observe a minute’s silence as a mark of respect to the late Bridie Hammersley, former member of Tipperary S.R. County Council who passed away on Thursday 2nd January 2025.

Item 2.1
Disclosure/or
Conflicts of
Interest

There were no disclosures or conflicts of interest advised to the Meetings Administrator in advance of the meeting.

Item 3.1
Minutes of
Budget 2025
Meeting held on
the 6th
December 2024

The Minutes of the Budget 2025 Monthly Meeting, held on 6th December, 2024, were proposed by **Cllr. Fiona Bonfield**, and seconded by **Cllr. John FitzGerald** however, Cllr. A.M. Ryan raised a query concerning the Minutes voicing an objection to the minutes as presented - she did not accept the minutes as they did not record an accurate account of the meeting and failed to detail items that both she and Cllr. D. Dunne raised. Notwithstanding that minutes are a record of decisions made, the Meetings Administrator agreed to amend the minutes to reflect the discussion and the amended minutes would be re-listed for consideration at the February meeting of the Council.

Matters Arising

Cllr. N. Dennehy stated that the setting of speed limits is a matter for the Council however, the Cathaoirleach noted that Item No. 10.1 under Correspondence would deal with the matter raised.

Item 3.2
Minutes of
December
Council Meeting
held on the 9th
December 2024

The Minutes of December Council Meeting, held on the 9th December 2024, were proposed by **Cllr. John Fitzgerald**, and seconded by **Cllr. Michael Brennan** and approved.

Matters Arising

There were no further matters arising.

Item 3.3
Minutes of
Special Meeting
re Casual
Vacancy Co-
option held on
the 19th
December 2024

The Minutes of Special Meeting concerning the Casual Vacancy Co-option, held on the 19th December 2024, were proposed by **Cllr. Marie Murphy** and seconded by **Cllr. John FitzGerald** and approved.

Matters Arising

There were no further matters arising.

Item 7.2 Severe
Weather Event
Update

It was agreed on the proposal of the Cathaoirleach to take Item 7.2 – Severe Weather Event Tipperary at this point in the meeting, seconded by Cllr. Ml. Smith.

James Murray, Senior Engineer Roads, delivered a presentation on Tipperary County Council's Planning and Response to Snow and Ice Event during the period 3rd January to the 12th January 2025. He gave an overview of the weather event, the implementation of the council's response framework and the key decisions and strategic priorities. He

gave a detailed outline of the Winter Programme managed by the machinery yard and assisted by the Roads District teams and the involvement of various support services i.e. medical, emergency, community. He noted that the Housing Section was added to the Severe Weather Alert team for this event and took measures to support the homes and rough sleepers impacted. He referred to the volume of calls handled by the Out of Hours service. From a road's perspective and without the benefit of a full and detailed cost review the early the members were informed that the estimated costs incurred from Saturday the 4th to Sunday the 12th January on the Winter Service Programme was in the region of €800,000. He concluded the presentation with a summary of the outcome and lessons learned and outlined a number of items initially identified for a post event review.

The Cathaoirleach thanked the team for the presentation and all who played a role. He stated that today's discussions would filter down to the Districts and SPC's. The members spoke of their experiences during the severe weather event. They acknowledged and complimented the response of council staff and local communities. It was noted that council staff came in for some unfair criticism on social media platforms. The members highlighted various issues experienced in their areas during the severe weather event and made a number of recommendations for further consideration and review by the relevant SPC.

Winter Maintenance Programme

- Explore possibility of engaging contractors already engaged on hedge cutting duties.
- List of contractors engaged for this event to be provided to elected members
- Manage accumulations of snow at entrances/gateways etc. as a result of snow plough
- Prioritise clearing of roads and housing estates in areas on higher ground
- Review possibility of government scheme similar to TAMS
- Review salting routes for such events for additional capacity and examine option to fund under GMA
- Develop a strategy to manage the impact on roads after the event
- Review severe weather event in 2018 and determinations made at SPC level and learnings from same.

Communications

- Social Media exposure to be utilised appropriately

Community Resilience

- Community Centred Response Plan
- Co-ordination of volunteers
- Provision of salt/grit bins in rural area

District Works

- Hiring of local contractors to clear local roads
- Town Centre focus to alleviate parking restrictions
- Review funding options under Climate Action Funding

Workforce Plan Review

- Assessment of outdoor staff numbers and assessment of plant and machinery in each district

Insurance Indemnity

- Clarify position regarding indemnifying local contractors
- Clarify the position re responsibility for clearing footpaths

Liam Brett, Director of Services thanked the members for their positive comments. He said the event had the most impact of any event over the last seven years. He noted that arterial roads were kept open during the event in line with international best practice. He stated that suggestions made by members to assist with the issues raised can be worked through the relevant SPC's but expressed caution, noting that any additional measures would come with a budgetary impact.

Sineád Carr, Chief Executive thanked all involved and welcomed the robust and open discussion. She noted that an orange weather warning was given by Met Eireann and Tipperary County Council was prepared. She said the public should also prepare in such circumstances. Community resilience was important in the management of these events. She acknowledged the efforts of the various stakeholders involved. She noted that the council can take learnings and seek to identify improvements. She agreed that issues raised by councillors would be forwarded to the relevant directorates and referred to relevant SPC's for further consideration. A joint meeting of Roads and Planning SPC would be convened to consider relevant District relevant issues.

It was also agreed to refer to Housing Directorate regarding communication on Homeless Services Accommodation during severe weather events.

Item 4.1
Approval to
Attendance

It was proposed by **Cllr. J. Carroll** and seconded by **Cllr. S. Morris** 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
Celtic Conference - The Finance Act	10 th - 12 th January, 2025	Kevitts Hotel, Carlingford, Co. Louth	Cllr. Mary Hanna Hourigan Cllr. Marie Murphy Cllr. Niall Dennehy Cllr. Phyll Bugler Cllr. Seamie Morris

LAMA Spring Seminar	30 th & 31 st January, 2025	Kilford Arms Hotel, Kilkenny	Cllr. Marie Murphy Cllr. Niall Dennehy Cllr. Sean Ryan Cllr. Phyll Bugler Cllr. Imelda Goldsboro Cllr. John FitzGerald Cllr. Seamie Morris Cllr. Micheal Anglim
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Noted

Item 4.2

Reports on Conferences

Item 5.1

Section 183 Notice - Disposal of land at No. 5 Avondale Court, Caherabbey Upper, Cahir to William & Margaret Magner

It was agreed on the proposal of the Meetings Administrator to defer this item to the February meeting due to an administrative error on the map provided to the council.

Item 5.2

Section 183 Notice - Disposal of property at Cloughjordan Library to Nicholas Deflache

It was proposed by **Cllr John Carroll**, seconded by **Cllr Mark Fitzgerald** 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 Cloughjordan Library to Nicholas Deflache for a consideration of €42,000.00 in accordance with the terms of the Notice under the above section, as circulated on Thursday 2nd January 2025”.

The disposal of property was required as the council deemed the property to be surplus to requirements and as such it was placed on the open market with an estimated market value of €30,000.

The highest bid achieved was in the amount of €42,000 from Mr. Nicholas Deflanche.

Item 5.3

Section 183 - Disposal of land at Church View House, Church Street, Templemore Demense, Templemore to

It was proposed by **Cllr Eddie Moran**, seconded by **Cllr. William Kennedy** 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 0.064 ha at Church View House, Church Street, Templemore for a consideration of €500.00 and the council’s legal fees in accordance with the terms of the Notice under the above section, as circulated on Thursday 2nd January 2025”.

Mark Barrett & Roisín Barrett

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

The Chief Executives report had been circulated to the members noting that the proposed development was for the demolition of an existing small extension and the construction of a new rear, single storey extension including new kitchen, living room and new drainage treatment unit, new footpaths, underground services and all associated site works at 7 Brittas, Thurles. The site is situated 3km north of Thurles and contains an existing single storey dwelling with vehicular entrance onto the public road.

Item 5.4

Local Authority own development pursuant to Article 81 of Part 8 of the Planning development Regulations – 7 Brittas, Thurles

In accordance with Part 8 of the Planning and development Regulations 2001, as amended, Tipperary County Council made available for public inspection the plans and particulars of the proposed development (demolition of an existing small extension and the construction of a new rear, single storey extension including new kitchen, living room and new drainage treatment unit, new footpaths, underground services and all associated site works at 7 Brittas, Thurles) from 19th of September, 2024 to the 18th of October, 2024.

The Planning Authority was satisfied that the proposal is in accordance with the Tipperary County Development Plan 2022-2028 and is acceptable in terms of design, drainage and wastewater disposal and presents no significant impacts on the conservation objectives of any Natura 2000 site. The development as set out on the plans and particulars was considered acceptable and is consistent with the principle of the proper planning and sustainable development of the area. Therefore, it was recommended that the proposed development should proceed subject to the recommended requirements and conditions.

- All surface water runoff from roofs, driveways and paved areas shall be collected and disposed of within the curtilage of the site by means of soak pits designed in accordance with BRE 365 standards. Surface water runoff shall not be allowed to discharge onto the public road or adjoining properties
- The proposed septic tank system shall be designed, located and constructed in accordance with the requirements of EPA Code of Practice 2021 – Domestic Wastewater Treatment Systems.

The existing septic tank system serving the dwelling shall be decommissioned following installation and commissioning of the new system.

It was proposed by **Cllr. Jim Ryan**, seconded by **Cllr. Pat English** and agreed; -

“That the development, as proposed in the Chief Executives Report, be proceeded with subject to the recommended requirements and conditions”.

Item No. 5.5 Ethics Framework Compliance

Mr. Ger Walsh, Meetings Administrator, referred to Part 15 of the Local Government Act 2001 (the 2001 Act) which set out the ethical framework for all those involved in the Local Government Service, both members and employees. The framework imposed a statutory duty on all in the service

to maintain proper standards of integrity, conduct and concern for the public interest.

Members were informed that Annual Declarations under Section 171 of the 2001 Act, were required to be submitted to the Ethics Registrar in writing on or before the last day in February 2025 containing particulars of his or her declarable interests and an undertaking to have regard to and be guided by the relevant Code of Conduct in the exercise of his or her functions.

Also, in accordance with electoral legislation members were required to submit a Donation Statement in respect of donations received, the value of which exceeded €600.00. These statements were to be furnished to the Ethics Registrar not later than 31st January 2025.

Item No. 6.1
Appointment of
members to
Tipperary
Transport Co-
Ordination Unit

The Cathaoirleach welcomed Mr. Anthony Moroney, Manager of Local Tipperary and invited him to make a presentation to the members on the services provided by TFI Local Link Tipperary.

He outlined the objective of TFI Local Link for Tipperary and the services provided. He noted that passenger numbers were 435,338 for 2024. He provided the members with details of the variety of vehicles operated, noting a transition to electric vehicles. He referred to the various routes in operation and outlined the new routes planned under Connecting Ireland – Rural Mobility Plan 2021-2025. He noted that if a reliable, frequent and consistent service is provided, people use it. Bus stops in town centres are critical. He outlined the impact of a severe weather alert to the service. He provided the members with contact details for the service.

A number of members acknowledged the benefits of the service to the different areas. Cllr. John FitzGerald stated that the priority of an extension of the Clonmel route to Clerihan would be welcome and would be of benefit to those working in Boston Scientific and Abbott Laboratories. Cllr. Pat English spoke in support of this route also. Cllr. Mark Fitzgerald suggested that the 828 and 858 Urlingford to Cashel service could divert at the Horse and Jockey to serve the villages of Ballinure and Dualla. He referred to the Urlingford to Clonmel route and suggested incorporating the villages of Mullinahone and Drangan. It stated it was important to improve the link between Kilkenny and Clonmel and take in the smaller villages. Cllr. Jim Ryan referred to the student population from Thurles attending Limerick and the importance of enhancing the service. Cllr. Fiona Bonfield asked if there were any plans to expand the Thurles to Limerick route and extend the service to Silvermines. Cllr. Liam Browne asked that Rosegreen be reviewed for inclusion on the Nenagh to Clonmel route.

Members were advised that at a Directors Meeting of the TFI Board held on 29th November 2024, the current Board of Directors of Tipperary TCU CLG requested that the Councillors review their nominations. The Board requested that there is one nomination from each of the five Municipal Districts, as the membership of the Board as contained within the Company's constitution requires this. The five nominations presented to the Board were made up of two Councillors from each of Tipperary Cahir Cashel and Clonmel Municipal Districts and one Councillor from Carrick on Suir Municipal District. As a consequence of no Councillor being nominated

from Nenagh or Thurles/Templemore districts, the nominations were not accepted at the meeting.

Following further consideration by the members Cllr. John FitzGerald agreed to step down from the committee. Cllr. Anne Marie Ryan also agreed to step down and will discuss the management of the remainder of her term with Cllr. Liam Browne.

It was proposed by **Cllr. Marie Murphy**, seconded by **Cllr. Michael Smith** and resolved: -

“That Cllr. Peggy Ryan be and is hereby appointed member to the Tipperary Transport Coordination Unit CLG representing the Thurles MD.”

It was proposed by Cllr. Anne Marie Ryan, seconded by Cllr. Jim Ryan that Cllr. Joe Hannigan be appointed as a member of the Tipperary Transport Coordination Unit CLG. Cllr. Hannigan was not in the room to confirm his agreement. It was counter proposed by Cllr. Michael Smith, seconded by Cllr. William Kennedy that Cllr. John Carroll be appointed as a member of the Tipperary Transport Coordination Unit CLG. Members noted that Cllr. Joe Hannigan had previously expressed an interest in a position on the board but without him to confirm his intentions the Cathaoirleach proposed that the appointment of a member from the Nenagh district be deferred to the February meeting, this was seconded by Cllr. Mark Fitzgerald and agreed.

Mr. Moroney responded to members queries on the routes. He noted that towns are required to be of a certain size to qualify for a service. He noted members comments and suggestions but reminded the members that the service should not displace private operators. The TFI contact details had been provided to the members for future reference.

Item No. 6.2

Appointment of member to North Tipperary Genealogy & Heritage Services CLG

It was proposed by **Cllr. Louise Morgan Walsh** and seconded by **Cllr. Marie Murphy** and resolved: -

“That Cllr. Fiona Bonfield be and is hereby appointed as a member of North Tipperary Genealogy & Heritage Services CLG”.

Item No. 6.3

Appointment of Members to Strategic Policy Committees

The Cathaoirleach advised of the vacant positions to be filled and stated that he would take the nominations under the Group System first.

1. Economic Development and Enterprise SPC

- (a) It was proposed by **Cllr. Anne Marie Ryan** and seconded by **Cllr. Niall Dennehy** and resolved: -

“That **Cllr. Eddie Moran** be and is hereby appointed as a member of Economic Development & Enterprise SPC”.

- (b) It was proposed by **Cllr. Niall Dennehy** and seconded by **Cllr. Michael O’Meara** and resolved: -

“That **Cllr. Anne Marie Ryan** be and is hereby appointed as a member of Economic Development & Enterprise SPC”.

2. Social Inclusion, Community & Rural Development

It was proposed by **Cllr. Marie Murphy** and seconded by **Cllr. Michael Smith** and resolved: -

“That **Cllr. Tom Acheson** be and is hereby appointed as a member of Economic Development & Enterprise SPC”.

Cllr. Anne Marie Ryan proposed that the appointment of the remaining three members to the Social Inclusion, Community & Rural Development SPC be deferred to the February meeting. The Cathaoirleach agreed and reminded the members to prepare the remaining nominations for the February meeting.

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

Item No. 7.1 **Consideration of** **the Management** **Report**

- Roads, Transportation, Health and Safety
- Planning and Development (including Town Centre First and Just Transition)
- Emergency Services & Emergency Planning
- Library, Cultural Services & Biodiversity
- Finance & Information Technology

Roads, Transportation, Health and Safety

It was agreed on the proposal of the Cathaoirleach to take Item 10.1 under Correspondence, letter dated 25th November 2024 from Leahy Reidy Solicitors re Road Traffic Amendments, as part of the Roads, Transportation and Health & Safety Report.

Item No. 10.1 **Letter dated 25th** **November 2024** **from Leahy** **Reidy Solicitors** **re Road Traffic** **Amendments**

Mr. John Nolan, S.E. Roads clarified the legal advice provided to the council regarding the National Legislation. He referred to the correspondence dated the 25th November 2024 from Leahy Reidy Solicitors re Road Traffic Amendments. In this letter, William J. Leahy of Leahy Reidy Solicitors LLP, outlined that legal hierarchy can be treated like a pyramid. At the top of the pyramid is anything enacted at EU level and this supersedes the laws at lower levels. National law enacted by the Oireachtas is lower on the pyramid, with Bye Laws lower again. EU law supersedes whatever the

Oireachtas might pass and any such contraction between Irish and EU law could be challenged by the European Court of Justice.

Therefore, laws passed at local level, such as a local bye law, are "secondary legislation" and at the bottom of the pyramid structure described above. The correspondence outlined that the powers to make bye laws is delegated to the members of the local authority by the relevant minister. It is therefore the case, that anything enacted by the Oireachtas supersedes local bye laws enacted by a local authority.

In reference to the Notice of Motion from Cllr. Niall Dennehy:

That Tipperary County Council, the Councillors, apply common sense via Bye-Law or Other, to the Road Traffic Act 2024 changes to Default Speed Limits on our Roads. That any new Default Speed Limits NOT be universal across this County, but apply Only in areas deemed necessary by this Council.

The correspondence stated that in the hierarchy of the law, the Road Traffic Act 2024, as it is enacted by the Oireachtas, supersedes local Bye Laws and the legally enforceable changes to the default speed limits that are stated therein would therefore become the applicable and enforceable legal standard. While the Bye-Laws do allow for local adjustments to speed limits under criteria detailed by relevant authorises, the members were informed on the correspondence that these changes, if considered as a wholesale "set-aside" of the principle of the legislation would open the Bye-Laws to legal challenge. It was further stated that a bye-law function is not to circumvent the higher law in this fashion. In addition, it was outlined that the technical justification for deviation from the default speed limits would need to be in place and the application of bye-laws on a "common sense" or as "deemed necessary" fashion without the relevant technical justification would also open the bye-law up for challenge.

The letter stated that the constitution over rules any national law and if the government were to bring in legislation that is contrary to the constitution, the courts can deem the law to be unconstitutional and strike it down. This is where you hear of the President, as the ultimate gatekeeper of the constitution, referring a bill to the Supreme Court to determine whether it is constitutional or not.

Cllr. Niall Dennehy stated he believed, based on a previous legal case, that the setting of speed limits was entirely a matter for the council. He referred to the twentieth amendment of the constitution effected on the 23rd of June 1999. He stated that this gave constitutional recognition to the role of local government and reserved functions of elected members enjoy constitutional protection and no subsequent legislation can subvert the constitution. On this basis he stated national legislation, since the amendment referred to, cannot subvert the constitution and supersedes the councils reserved functions to institute by-laws. He considered that his argument would be an appropriate defence in court cases in any challenges to the local authority on the implementation of newly adopted default speed limits.

In response to queries raised by Cllr. Niall Dennehy, Mr. John Nolan stated that the order of events is that the road traffic legislation is coming into effect on 7th February 2025. A local authority has the opportunity to modify the default speed limits in certain locations as per the by-laws under the reserved function of the council during the second stage of the speed limit review and elected members will have a significant part to play in examining bye-law modifications.

Mr. John Nolan S.E. and Mr James Murray S.E., responded to queries raised as follows:

Item No. 7.1
Consideration of
the Management
Report contd.

Roads, Transportation, Health and Safety

N24

No announcement has been made on TII funding for 2025. Allocation of full funding for the Cahir to Limerick project is anticipated. Members were encouraged to lobby for funding to progress the Cahir to Waterford project.

Moangarriff to Two Mile Bridge

Resources issues with TII were noted however the project will be kept on the roads programme.

Shannon Crossing/Ballina Killaloe Bridge

Substantial completion noted. Roads will follow up with Clare County Council on completion of the snag list. It was noted that a section of the crossing is without lighting. This lighting was installed as per the plan but will be reviewed when the crossing is opened. Update to be provided to Cllr. Phyll Bugler.

Quarry Lane/Greenway

Update on queries raised to be provided by the Active Travel team to Cllr. Phyll Bugler

Speed Limit Review

Changes to the local rural network will take effect on the 7th February. The default speed limit will reduce from 80 kmph to 60kmph. Districts are erecting signage to permit this change to happen. The severe weather event delayed progress on the signage work and roads section have reverted to the LGMA to review the implementation date. Phase 2 of the Speed Limit Review was noted as part of a wider review across the whole network and some default speed limits changes are proposed within that review. There is no firm date set to sign this into legislation but it is expected to be end of June/July.

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

Ms Sharon Kennedy, Director of Services and Ms Anne Marie Devaney, A/Senior Planner responded to queries raised as follows:

Tipperary Town Local Area Plan

Engagement with Uisce Eireann taking place to seek clarity on capacity of waste water treatment plant before progress can be made.

Smaller town/village dereliction/URDF Funding

Some smaller projects have received investment. Under the new regeneration team, focus is on nine major towns identified in the County Development Plan while being mindful of the smaller towns and villages. Presentation to be delivered on menu of opportunities for towns/villages at March Council Meeting.

Residential Zoned Land Tax (RZLT) Modifications

RZLT was introduced a number of years ago. Land zoned residential is liable to a tax. It is a matter for each local authority to prepare draft and final maps for publishing. At conception the RZLT had provided for landowners to seek a rezoning request as part of the RZLT consultation as a one-off process. Subsequent changes have reintroduced the capacity to make a rezoning request on an annual basis since its introduction. This process has been reintroduced in the forthcoming maps. The department has issued a Section 28 guidance on how the the local authority process the rezoning requests providing an additional opportunity for landowners whose lands are with RZLT scope to make a submission to the local authority to have lands rezoned or dezoned for residential purposes. There will be a process involved in such a request where the local authority will provide details and acknowledge the request to the landowner. This documentation is taken to revenue to apply for a deferral of tax for the previous year. This process is a new mechanism introduced this year. A second deferral mechanism has been introduced where permission has been granted for residential development on lands within RZLT scope. Within the last twelve months a landowner can make a submission to the local authority on the lands and the local authority will provide documents to bring to revenue to make a case for deferral of tax. The circular issued to local authorities with the Section 28 recommends local authorities notify landowners who have made previous submissions with respect to rezoning/dezoning of land. Planning are currently of going through submission records. The new mechanism relates to rezoning requests.

Draft maps are published and the publication is advertised on national newspapers and Tipperary County Council have also published maps on local newspapers. Information is also available on social media channels. Interactive and hard copy maps will be published on February 1st and there is a time limit for landowners to make submissions.

It was noted there is capacity within the waste water treatment plant in Ballina and Ballina will appear on the latest draft map to be finalised for 2026. A three-year lead in time to be liable for the tax was noted. Land subject to economic activity can make a submission to revenue for a tax exemption or deferral. This is matter between landowner and revenue.

In summary the following changes were noted:

1. Provision for a deferral of RZLT when planning permission granted.
2. Additional opportunity to requests for changes of zoning.

Correspondence will be issued to members clarifying the changes to RZLT and elected members can liaise with the Planning Section on any queries.

Voluntary Housing Development, Templemore

The planning process allowed for issues raised in submissions. Project is being funded by the department of housing. The Planning section will liaise with the Voluntary Housing Association and a meeting with elected members, Planning Section and Templemore Voluntary Housing Association will be organized to review issues raised in An Bord Pleanala decision.

Emergency Services & Emergency Planning

There were no further questions arising.

Library, Cultural Services & Biodiversity

Mr. Damien Dullaghan, County Librarian, responded to queries raised as follows:

Clonmel Library

Stage 2 report is nearly complete for submission to the department. Studies required under the Part 8 process are underway. Part 8 expected to be completed in next month or so.

Templemore Library

Positive comments were noted. Plans for the old library will be provided to the district members when available.

Finance & Information Technology

Mr. Mark Connolly, Director of Finance, responded to queries raised as follows:

Power Up Grant

No update has been received. Government formation talks impacting timing of this. Elected members will be updated once information is to hand. It was noted that retail/hospitality sectors only can apply.

Item No. 8.1 **Councillor** **Workshop 4th** **February 2025**

It was noted and agreed that the Councillor Workshop schedule for the 4th of February would be as follows:

- Section 183 Procedure
- 2024 LACAP Progress Report and the Capital Investment required for Decarbonisation of our Fleet & Facilities

Item No. 9.1 **Consideration of** **Orders for the** **period to the** **31st December** **2024**

For noting

Item No.
11.1 Motions
from other
Councils

The following Resolutions from other Local Authorities were considered and noted: -

Donegal County Council

"That this Council write to the leaders of every political party and independent grouping running candidates in the forthcoming General Election urging them to include within their programme for government to fully commit, within the lifetime of the next Dáil to the restoration or creation of Town Councils in every town in this State with a population over 5,000 people".

Donegal County Council

"That Donegal County Council write to the incoming Housing Minister asking for a grant to be considered for rainwater harvesting that would lower demand on current domestic supplies and could be used for flushing toilets, washing cars, power washing and any other use of treated water supplies around dwellings, farms, and industrial settings".

Wexford County Council

"That Wexford County Council calls on Irish Public Bodies Mutual Insurances (IPB) to provide affordable underwriting options for insurance cover specifically tailored to the needs of community centres and similar community organisations and playgrounds. These centres are essential to the social fabric of our communities, providing valuable services and facilities that support health, well-being and social inclusion. However, rising insurance premiums are increasingly limiting the ability of community groups to operate and expand their services.

By offering more affordable insurance options, IPB could enable community centres to continue and enhance their work without the heavy burden of unsustainable insurance costs. Wexford County Council urges IPB to consider the positive impact of such support on communities across the county and to act in the interest of promoting assessable, community-based services for all."

Item No. 12.1
Expressions of
Sympathy /
Votes of
Congratulations

The following Votes of Sympathy were passed for the following: -

- Jackie Saunders, Housing Section, Clonmel on the death of her husband Tony, also brother in law to Sophia Doheny, Clonmel Borough District and Walter Doheny, Tipperary, Cahir, Cashel MD and uncle to Rebecca Doheny, HR, Clonmel
- Eamon Phelan, Roads Section, Carrick on Suir MD on the death of his wife Eleanor
- Lauren Butler Ryan, Planning Section, Clonmel on the death of her father Philip Ryan
- Tom FitzGerald, Roads Section, Carrick on Suir MD on the death of his sister Anna FitzGerald
- Pdraig Dooley, Craftworker, Nenagh MD on the death of his mother Nora
- The family of Bridget (Bridie) Hammersley, former Councillor with Tipperary SR County Council

- Cllr. Niall Dennehy on the death of his brother in law Michael McCarthy
- Cllr. Micheal Anglim on the death of his uncle Eamon Ryan
- Cllr. Roger Kennedy on the death of his brother Andrew Kennedy
- Eileen Condon (ETB) on the death of her mother Ann Gillen
- Joe Tierney (Engineer North Tipperary Water Services), on the passing of his wife Noreen
- The family of the late Sadie McKeogh, Cragg, Newport
- The family of the late Jim Barry, Newtown, Nenagh
- Patricia O’Sullivan (former Mayor of Clonmel) on the death of her brother William (Billy) Keeley

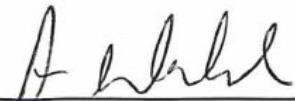
Item No. 13.1
A.O.B.

Mr. Ger Walsh, Meetings Administrator advised members that he was designated as the authorised person for the Council for all statutory and other purposes necessary for and consequential to the holding of the Seanad General Elections 2025. He referred members to correspondence issued to them on the 9th January with regard to Seanad General Election 2025. He noted that ballot papers will be issued on 15th January 2025 and the Poll will close at 11.00 a.m. on 30th January 2025. Witnessing of elected members declarations of identity and the signing of the relevant certificate to be affixed to the envelope to be returned to the Seanad Returning Officer will be facilitated in Clonmel and Nenagh and members were asked to contact Elaine Murphy in Clonmel or Evelyn Harty in Nenagh to arrange a suitable time on either date to facilitate same.

There being no other business, the Meeting concluded.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date: _____