

**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 14TH OCTOBER, 2024.**

Present

Cllr. D. Burgess, Cathaoirleach.

Cllrs: Ambrose, S; Anglim, M; Bonfield, F; Bourke, K; Brennan, M; Cahill Skehan, K; Carroll, J; Dennehy, N; FitzGerald, J; Goldsboro, I; Hannigan J; Kennedy, R; Kennedy, W; Lee, S; Lowry, M; McGrath, M; Molloy, R; Moran, E.; Morgan Walsh, L; Morris, S; Murphy, Marie; O'Heney, J; O'Meara, M; O'Meara, R; Quirke O'Meara, P; Ryan (Shiner), AM; Ryan, J; Smith, M;

Remote

Cllrs: Browne, L; Bugler, P; Crosse, J; Dunne, D; English P; Fitzgerald, M; Hourigan, Mary Hanna; Moloney, A; Murphy, M; Ryan, Peggy, Ryan S;

Also Present

Ms Sinéad Carr, Chief Executive, Mr. Liam Brett, Director of Services (remote), Mr. M. Connolly, Head of Finance, Mr. B. Beck, Director of Services, Ms. Sharon Kennedy, Director of Services (remote) Mr. Ger Walsh, Meetings Administrator, John Nolan S.E, Anne Marie Devaney Senior Executive Planner, Jonathan Flood, A/Senior Executive Planner, Damien Dullaghan

Item 1.1

**Welcome &
Introduction/
Meetings
Protocol**

The Cathaoirleach welcomed all to the October 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.

Item 1.2

**Disclosure/or
Conflicts of
Interest**

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

Item 1.3

**Minutes of
Council Meeting
held on 9th
September,
2024**

The Minutes of the September Monthly Meeting held on 9th September, 2024 were proposed by **Cllr. J. Carroll**, and seconded by **Cllr. R. Kennedy** and adopted.

Matters Arising

Cllr. Dennehy enquired as to why the Section 183 disposal under Item 3.8 was re-listed on the Agenda and the Cathaoirleach advised that his queries would be dealt with under that item.

Cllr. S. Morris stated that the elected members had not received a response from Uisce Eireann on the queries submitted by elected members at the workshop held on the 17th of September. The Meetings Administrator advised that the matter would be followed up.

Item 2.1 **Approval to** **Attendance**

It was proposed by and seconded by 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 – Local Authority Finance and Budget	2 nd November, 20224	Radisson Blu Waterford	Imelda Goldsboro Sean Ryan
AILG- Guide to the Home Upgrade Grants	14 th November, 2024	Tower Hotel, Waterford	John Carroll Joe Hannigan Michael O'Meara
AILG – Guide to Home Upgrade Grants	16 th November, 2024	Claregalway Hotel Galway	Seamus Morris Andy Moloney
CIF – Mid-West Construct Conference	22 nd November, 2024	Castletroy Park Hotel Limerick	John Carroll
Celtic Conferences - Corporate Governance	22 nd to 24 th November, 2024	O'Donovans Hotel, Clonakilty, Co. Cork	Andy Moloney Marie Murphy

Item 2 .2 **Reports on** **Conferences**

Noted.

Item 3.1 **Disposal of land** **at Roscrea**

It was proposed by **Cllr S. Lee**, seconded by **Cllr MI. Smith** and resolved: -

Business and Technology Park, Benamore, Roscrea to Quitmann Facilities Ltd

“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 2.65 ha of land at Roscrea Business and technology park, Benamore, Roscrea, Co. Tipperary, for a consideration of €455,000 in accordance with the terms of the Notice under the above section as circulated on Thursday, 3rd October”.

The disposal was required to facilitate commercial development.

Item 3.2

Section 183 Notice - Disposal of land adjacent to No.1 Clare Street, Nenagh to Sinead Tierney

It was proposed by **Cllr J. Carroll** 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 0.0042ha adjacent to No. 1 Clare Street, Nenagh, Co. Tipperary to Sinead Tierney for a consideration of €500.00 plus legal fees in accordance with the terms of the Notice under the above section, as circulated on Thursday 3rd October 2024”.

The disposal was required to assist in regularising the title to land adjacent to the client’s property at No. 1 Clare Street to facilitate the sale of No. 1 Clare Street.

Item 3.3

Disposal of circa land at Lisbunny Business Park, Nenagh, Co. Tipperary to Banaghan & Co (Stationary) Ltd

It was proposed by **Cllr S. Morris** and seconded by **Cllr MI. O’Meara** 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 1.565ha (3.86acres) at Lisbunny Business Park, Nenagh, Co. Tipperary to Banaghan & Co (Stationary) Ltd for a consideration of €347,400 in accordance with the terms of the Notice under the above section, as circulated on Thursday 3rd October 2024”.

The disposal was required to facilitate the construction of a 60,000 sq. ft. building which would accommodate the full requirements for a stationery wholesaling business.

Item 3.4

Section 183 Notice - Disposal of land at Ballina, Nenagh, Co. Tipperary to GT3 Investments Ltd

It was proposed by **Cllr J. Carroll**, and seconded by **Cllr F. Bonfield** 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 0.0037 ha of land at Ballina, Nenagh, Co. Tipperary to GT3 Investments Ltd for a consideration of €100.00 plus legal fees in accordance with the terms of the Notice under the above section, as circulated on Thursday, 3rd October 2024”.

The disposal was required to facilitate the rectification of a historic mapping issue and regularise the boundaries of the property on the ground.

Item 3.5

Section 183

**Notice -
Disposal of land
in Phase 1 and
Disposal of land
in Phase 2 at
Lisbunny
Business Park,
Nenagh to Apex
Aviation Ltd -
Attached**

It was proposed by **Cllr S. Morris**, and seconded by **L. Morgan Walsh** 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 3.99 ha (9.86 acres) in Phase 1 and circa 1.86ha (4.6 acres) in Phase 2 by December 2026 at Lisbunny Business park, Nenagh, Co. Tipperary to Apex Aviation Ltd for consideration of €690,200 for Phase 1 and €322,000 for Phase 2 in accordance with the terms of the Notice under the above section, as circulated on Thursday, 3rd October 2024

This disposal was required to facilitate commercial development.

Item 3.6

Section 183

**Notice -
Disposal of land
at No. 1
Fontenoy
Terrace
Stradavoher,
Thurles to
Seamus Slattery**

It was proposed by **Cllr S. Ryan**, and seconded by **Cllr R. 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 0.0103ha of land at No. 1 Fontenoy Terrace, Stradavoher, Thurles to Seamus Slattery for the consideration of €300.00 plus the Council’s legal fees in accordance with the terms of the Notice under the above section, as circulated on Thursday, 3rd October 2024”

The disposal was required to facilitate the transfer of title of a section of garden only accessible through No. 1 Fontenoy. The Section 183 Resolution approved by the council on the 11th of September 2023 approving the disposal to Kathleen and Seamus Slattery is hereby rescinded.

Item 3.7

Section 183

**Notice –
Disposal of land
at rear of No.
270 St. Olivers
Close, Elm Park,
Gortmaloge,
Clonmel, Co.
Tipperary to
Robert Fahey
and Deborah
Fahey**

It was proposed by **Cllr J. FitzGerald**, and seconded by **Cllr P. English** 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 0.012ha at No. 270 St. Olivers Close, Elm Park, Gortmaloge, Clonmel, Co. Tipperary to Robert Fahey and Deborah Fahey for a consideration of €500 plus the council’s fees in accordance with the terms of the Notice under the above section, as circulated on Thursday 3rd October 2024”.

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

Item 3.8

Section 183

Notice -

Disposal of land by way of 5-year lease to Mr

Conor Cooney

The disposal was required to facilitate the request to utilise the option within a lease agreement to extend the term of existing 5-year lease for a further 5 years. The Section 183 Resolution approved by the council on the 9th of September 2024 approving the disposal by way of 5-year lease of property circa 160 acres (64.75ha) situated at Ballingarrane, Clonmel, Co. Tipperary to Conor Cooney is hereby rescinded.

The Meetings Administrator referred to Cllr. Niall Dennehy's query under this item. He stated the item was raised again as Cllr. Dennehy had raised a number of queries on the previous notice. The details of the land from whom the local authority acquired them was not detailed on the notice. It was in the contract the notice was reissued. He stated it was a matter for the council to agree to the disposal or whether the matter should go to a vote. He stated that notice had been issued in accordance with Section 183 and the notice and terms are correct.

The Cathaoirleach confirmed that details from whom the council acquired the land was detailed on Section 183 notice and the matter was being relisted.

Cllr. Niall Dennehy stated that he was objecting to the disposal on the grounds that it was a continuous sterilization of 160 acres in Clonmel at a time when there was a scarcity of land available to the construction sector and to the local authority in its role as a housing provider.

In reply, the Meetings Administrator advised that the reason the matter was re-listed was to correct an omission in the previous Section 183 Notice in relation to the details of the land from whom the local authority acquired said lands. He noted that Section 183 provides that the relevant procedures must be followed, whereby a notice is issued to the members 10 days in advance, giving particulars of the land, the name of the person from whom the land was acquired (if this can be ascertained by reasonable enquiry), the person to whom the land is to be disposed of, the consideration proposed in respect of the disposal and any covenants or agreements to be imposed in connection with the disposal. This was not connected and it was a matter for the Council to resolve that the disposal shall not be carried out or that it shall be carried out in accordance with the terms specified in the resolution.

Following consideration Cllr. Niall Dennehy asked that his objection to the disposal as proposed be noted there was no seconder to Cllr. Dennehy's objection.

It was proposed by **Cllr. Marie Murphy**, and seconded by **Cllr MI. Smith** 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 by way of 5-year lease of property circa 160 acres (64.75ha) situated at Ballingarrane, Clonmel, Co. Tipperary to Conor Cooney in accordance with the terms of the Notice under the above section, as circulated on Thursday 3rd October 2024".

It was proposed by **Cllr. J. Carroll** and seconded by **Cllr. Marie Murphy** and resolved: -

Item 3.9

Overdraft facility for the year ending the 31st December 2025

"That pursuant to the Local Government Act 2001 and subject to the sanction of the Minister of the Environment, Community and Local Government, this Council authorises the temporary borrowing by way of overdraft from the Council's Treasurer of a sum not exceeding €10,000,000 (ten million euro) during the year ending 31st December, 2025".

The Cathaoirleach referred this item to Mark Connolly, Head of Finance. The Head of Finance referred to the background document provided to the members in advance of the meeting. He stated that an overdraft facility is a safety net and an insurance policy of sorts in the event that the local authority needs to pay out monies in advance of receiving funds. Tipperary County Council did not have a requirement to use the overdraft facility in 2024.

Item 4.1

Appointment of Members to the Strategic Policy Committees

The Cathaoirleach referred to the report as circulated and invited nominations for the following:

- (a) The appointment of elected members to the 7 Strategic Policy Committees as follows:
 - Economic Development and Enterprise – 12 nominees
 - Housing – 10 Nominees
 - Infrastructure (to include Roads and Transportation) – 10 nominees
 - Planning and Emergency Services – 10 nominees
 - Environment and Climate Action – 10 nominees
 - Social Inclusion, Community & Rural Development – 10 nominees
 - Libraries and Cultural Services/Biodiversity – 10 nominees
- (b) Ratification of Sectoral Representatives to the Strategic Policy Committees

A copy of extract re: Schedule 10 Meetings and Proceedings of Local Authorities Government Act 2001 – paragraph 18 – Right to form groups for certain appointments was provided to elected members in advance of the meeting.

It was noted that the independent group of Councillors would be forming groups for these appointments and Group Nomination papers were submitted to the Meetings Administrator in advance of the meeting.

The Cathaoirleach advised that he would take the nominations under the Group System for each SPC first.

Adjournment

Cllr. Jim Ryan requested an adjourned for five minutes to review the Groupings which was agreed.

Resumption

On resumption, the following nominations were agreed.

Item 4.1 contd.

Appointment of Members to the Strategic Policy Committees

Economic Development and Enterprise SPC

It was proposed by **Cllr. J. Ryan** and seconded by **Cllr. M McGrath** and resolved: -

"That **Cllrs. Joe Hannigan & Liam Browne** be and are hereby appointed as members of Economic Development & Enterprise SPC"

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

"That **Cllrs. Siobhan Ambrose, Kay Cahill Skehan, Roger Kennedy, John Carroll, Louise Morgan Walsh, Michael Murphy, Declan Burgess, Marie Murphy** be and are hereby appointed as members of Economic Development & Enterprise SPC"

It was proposed by **Cllr. Marie Murphy** and seconded by **Cllr. Wm Kennedy** and agreed that the remaining two positions on Economic Development & Enterprise SPC be deferred to the December Meeting.

Housing SPC

It was proposed by **Cllr. J. Ryan** and seconded by **Cllr. M McGrath** and resolved: -

"That **Cllrs. Pat English, Shane Lee, David Dunne, Ann Marie Ryan (Shiner)** be and are hereby appointed as members of Housing SPC"

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

"That **Cllrs. Mary Hanna Hourigan, Wm Kennedy, Roger Kennedy, Michael Anglim, Kieran Bourke, Michael Brennan** be and are hereby appointed as members of Housing SPC"

Infrastructure (to include Roads & Transportation) SPC

It was proposed by **Cllr. J. Ryan** and seconded by **Cllr. MI. O'Meara** and resolved: -

"That **Cllrs. Michael O'Meara, Mairín McGrath, John O'Heney, Jim Ryan** be and are hereby appointed as members of Infrastructure (to include Roads & Transportation) SPC"

It was proposed by **Cllr. Fiona Bonfield** and seconded by **Cllr. Marie Murphy** and resolved: -

"That **Cllrs. William Kennedy, Mark Fitzgerald, Marie Murphy, Ryan O'Meara, Micheal Anglim, Fiona Bonfield** be and are hereby appointed as members of Infrastructure (to include Roads & Transportation) SPC"

Planning & Emergency Services SPC

It was proposed by **Cllr. J. Ryan** and seconded by **Cllr. M. McGrath** and resolved: -

"That **Cllrs. Micheal Lowry, Seamus Morris, Ann Marie Ryan (Shiner)** be and are hereby appointed as members of Planning & Emergency Services SPC"

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

"That **Cllrs. Imelda Goldsboro, John Carroll, Michael Smith, Fiona Bonfield, Mark Fitzgerald, Mary Hanna Hourigan, John Crosse** be and are hereby appointed as members of Planning & Emergency Services SPC"

Environment & Climate Action SPC

It was proposed by **Cllr. Jim Ryan** and seconded by **Cllr. Eddie Moran** and resolved: -

"That **Cllrs. Pat English, Eddie Moran, Pamela Quirke O'Meara** be and are hereby appointed as members of Environment & Climate Action SPC"

It was proposed by **Cllr. Michael Smith** and seconded by **Cllr. Wm. Kennedy** and resolved: -

"That **Cllrs. Declan Burgess, Peggy Ryan, Phyll Bugler, Séan Ryan, John Carroll, Imelda Goldsboro, John FitzGerald** be and are hereby appointed as members of Environment & Climate Action SPC"

Social Inclusion, Community & Rural Development SPC

It was proposed by **Cllr. Jim Ryan** and seconded by **Cllr. Shane Lee** and resolved: -

"That **Cllr. Mairín McGrath** be and are hereby appointed as a member of the Social Inclusion, Community & Rural Development SPC"

It was proposed by **Cllr. Fiona Bonfield** and seconded by **Cllr. Marie Murphy** and resolved: -

"That **Cllrs. Michael Brennan, John FitzGerald, Peggy Ryan, Michael Smith, Ryan O'Meara** be and are hereby appointed as members of Social Inclusion, Community & Rural Development SPC"

It was proposed by **Cllr. Marie Murphy** and seconded by **Cllr. Fiona Bonfield** and resolved that the four vacant positions on the Social Inclusion, Community & Rural Development SPC be deferred to the December meeting.

Library & Cultural Services/Biodiversity SPC

It was proposed by **Cllr. J. Ryan** and seconded by **Cllr. M. McGrath** and resolved: -

"That **Cllrs. Niall Dennehy, Andy Moloney, Richie Molloy, Pamela Quirke O'Meara** be and are hereby appointed as members of Libraries & Cultural Services/Biodiversity SPC"

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

"That **Cllrs. Siobhan Ambrose, Kay Cahill Skehan, John Crosse, Phyll Bugler, John FitzGerald, Louise Morgan Walsh** be and are hereby appointed as members of Libraries & Cultural Services/Biodiversity SPC"

The Chair referred to report circulated on Sectoral Nominees to each SPC and the Ratification of Sectoral Representatives to the Strategic Policy Committees and was proposed by **Cllr. Marie Murphy** and seconded by **Cllr. Michael Smith** and agreed by the Council.

The following were deemed members of the 7 (Seven) respective SPC's

Economic Development & Enterprise SPC – Total Membership - 20

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Marie Murphy	1. Joe Hannigan	1. Pat Carroll
	2. Liam Browne	2. Michelle Aylward
	3. Siobhan Ambrose	3. Adrien Barlett
	4. Kay Cahill Skehan	4. Sean Reidy
	5. Roger Kennedy	5. Thomas Cooke
	6. Declan Burgess	6. Mary Spillane
	7. John Carroll	7. Sean O'Farrell
	8. Louise Morgan Walsh	8. VACANT
	9. Michael Murphy	
	10. Vacant	
	11. Vacant	

Housing SPC – Total Membership - 17

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Mary Hanna Hourigan	1. Pat English	1. John O'Shaughnessy
	2. Shane Lee	2. Tom Gallahue
	3. David Dunne	3. Joe Sherlock
	4. Ann Marie Ryan Shiner	4. Sarah Bourke
	5. William Kennedy	5. Vacant
	6. Roger Kennedy	
	7. Michael Anglim	6. Vacant
	8. Kieran Bourke	7. Vacant
	9. Michael Brennan	

Infrastructure SPC – Total Membership - 18

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Jim Ryan	1. Michael O'Meara	1. Baden Powell
	2. Mairin McGrath	2. Dan Egan

	3. John O’Heney	3. Barry Ryan
	4. William Kennedy	4. Michael Crowe
	5. Mark FitzGerald	5. Marie Collison
	6. Marie Murphy	6. Pattie O’Neill
	7. Ryan O’Meara	7. Anthony Moroney
	8. Michael Anglim	8. Vacant
	9. Fiona Bonfield	

Planning and Emergency Services SPC - Total Membership - 16

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Imelda Goldsboro	1. Micheal Lowry	1. Michael J. Tobin
	2. Seamus Morris	2. Brid Harrington
	3. Ann Marie Ryan Shiner	3. John O’Shaughnessy
	4. John Carroll	4. Gillian Moore
	5. Michael Smith	5. Charles Lamb
	6. Fiona Bonfield	6. Vacant
	7 Mark FitzGerald	
	8 Mary Hanna Hourigan	
	9 John Crosse	

Environment & Climate Action SPC – Total Membership - 16

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Sean Ryan	1. Pat English	1. Darragh Scott
	2. Eddie Moran	2. Sarah Fogarty
	3. Pamela Quirke O’Meara	3. Davie Philip
	4. Declan Burgess	4. Charles Stanley Smith
	5. Peggy Ryan	5. Mary McMahon
	6. Phyll Bugler	6. Brian Pope
	7. John Carroll	
	8. Imelda Goldsboro	
	9. Vacant	

Social Inclusion Community & Rural Development SPC – Total Membership - 16

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Michael Smith	1. Mairin McGrath	1. Joe O’Dwyer
	2. John FitzGerald	2. Michael O’Donoghue

	3. Peggy Ryan	3. Sangetta Molloy
	4. Ryan O'Meara	4. David Dwyer
	5. Michael Brennan	5. Kuldeep Joshi
	6. Vacant	6. Eoin Wolohan
	7. Vacant	
	8. Vacant	
	9. Vacant	

Library Services – Total Membership - 16

<u>Chair</u>	<u>Councillors</u>	<u>Sectoral Reps</u>
Cllr. Andy Moloney	1. Niall Dennehy	1. Sean O'Farrell
	2. Richie Molloy	2. Aislinn O'Keeffe
	3. Pamela Quirke O'Meara	3. Martin Quinn
	4. Siobhan Ambrose	4. Theresia Gushychlbauer
	5. Kay Cahill Skehan	5. Vacant
	6. John Crosse	6. Vacant
	7. Phyll Bugler	
	8. John FitzGerald	
	9. Louise Morgan Walsh	

Item 4.2 **Appointment of** **Members to** **Local** **Community** **Safety** **Partnerships**

The Cathaoirleach referred to report as circulated and that 7 nominations for the Council were received. Supporting documentation had been provided in advance of the meeting. In advance of the nominations, he congratulated former councillor Noel Coonan on his appointment as chairperson of the LCSP. His experience as an elected member was noted.

The Cathaoirleach advised that he would take nominations under the Group System first.

Cllr. Marie Murphy sought clarification on a point of order in relation to the number of nominees allowed under the Group System.

A roll call was undertaken to determine the number of members present in the Chamber. The Meetings Administrator confirmed there were 35 elected members present and this entitled the independent grouping to propose three nominees under the Group System.

It was proposed by **Cllr. Jim Ryan** and seconded by **Cllr. Mairín McGrath** and resolved: -

"That **Cllrs. Andy Moloney, Richie Molloy, Shane Lee** be and are hereby appointed as members of Local Community Safety Partnerships"

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

"That Cllrs. Michael Brennan, Peggy Ryan, Declan Burgess, Imelda Goldsboro be and are hereby appointed as members of Local Community Safety Partnership"

It was proposed by **Cllr. Ryan O'Meara** and seconded by Cllr. **John Carroll** and resolved: -

Item 4.3
Ratification of a
member to the
Tipperary Local
Community &
Development
Committee
(TLCDC)

In accordance with Section 36 of the Local Government Act 2001, as amended by Section 49A (1), Chapter 2 of Part 6 of the Local Government Reform Act 2014 and Article 4 (1) of the Local Community Development Committee (Section 128E) Regulations 2014, and statutory instruments no. 314 of 2014 the Local Community Development Committee (section 128e) (amendment) (no. 1) regulations 2014

"That Elaine Baker (Cloughjordan Community Farm) be and are hereby appointed as the PPN representative on the Tipperary Local Community & Development Committee (TLCDC)"

Item 5.1
Consideration of
the Management
Report

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.

- 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

Item 8.2
Notice of Motion
Ref. 2861
Default Speed
Limits

It was agreed on the proposal of the Cathaoirleach to take Item 8.2 - Notice of Motion Ref. 2861 in relation to Default Speed Limits and item 9.3 Notice of Motion 2882 in relation to Ash Die Back as part of the Roads, Transportation and Health & Safety Report.

The Motion Reference No. 2861 was proposed by **Cllr. N. 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 Councillors".

The motion was seconded by **Cllr. Mairín McGrath**.

In moving the motion Cllr. N. Dennehy outlined the volume of people that he believed will be affected by the proposed changes. He stated that it was a serious and sensitive matter and he was not advocating that the council ignore the recommendation but believed that it should be applied with common sense where the councillors deem it necessary. He stated that breaching speed limits is just one of a number of contributory factors to road accidents. He considers the measure a blanket, punitive measure

and a money-making device for the government. Vehicles will suffer mechanically from the changes and modern vehicles are not designed to run for long periods at these speeds. He also referred to the green agenda and the desire to reduce cars on the road but the need to use a car is impacted by where people live and the availability of public transport.

Members spoke in support of the motion and outlined their concerns and raised queries in terms of implementing the default speed limits. The lack of consultation with the members on these changes was highlighted. A number of members referred to the amount of people in their areas who have sought reduction in speed limits.

Liam Brett, Director of Services and James Murry S.E. responded to members queries.

Liam Brett acknowledged the members concerns. He noted that this is legislation that was adopted earlier this year.

James Murray outlined as per the Reply to the Motion as follows: -

As part of the Programme for Government a national implementation group was formed to review and reduce speed limits to address road safety issues. This national implementation group consists of membership drawn from key state stakeholders including:

- Department of Transport,
- Transport Infrastructure Ireland,
- National Transport Authority,
- An Garda Síochána,
- Road Safety Authority and the local authority sector

Arising from the work of this group changes to the relevant legislation will reduce the default speed limits on some road categories including:

- 60km/hr on Rural Local Roads (currently 80km/hr)
- 80km/hr on National Secondary Roads (currently 100km/hr)
- 30km/hr in Urban Areas (currently predominantly 50km/hr).

The relevant legislation is the Road Traffic Act 2024 - this legislation is yet to be enacted by the Oireachtas. He noted that they await guidance on both the rural and the urban situation.

It is proposed nationally that the implementation of the speed limits be done over three phases as follows:

- Phase 1 - Rural Local Roads
- Phase 2 - National Secondary Roads and Urban Areas
- Phase 3 - Other Special Circumstances, such as schools.

James stated that they had reviewed the roads and they were not able to identify any road that they could recommend to stay at 80kmph. No guidelines have been given with regard to Phase 2.

Tipperary County Council will implement all required changes to default speed limits and complete the associated Speed Limit Review in compliance with the new legislation and adherence to the technical guidance from the national working group.

Central to this review process will be consultation with the broad range of relevant stakeholders including the elected Members.

While Phase 1 is effectively the implementation of a new legal default speed limit on our Rural Local Roads, and requires no immediate amendment to our current Bye-Laws, subsequent phases will require a full review of the existing Bye-Law and most likely significant changes therein.

James referred to the personal responsibility on all drivers to drive taking account of the conditions that they are in. Speed limits are a guidance and not a target. To increase a speed limit the burden is on justifying why it should be increased. To reduce a limit down is less complicated

He noted that the Council does not have full sight yet of where funding will come from. The cost is a huge consideration for the local authority.

Liam Brett reiterated that there are no guidelines on Phase 2 & 3 yet. He noted the requirement to update elected members when additional data is available.

Cllr. Niall Dennehy stated that legislation cannot subvert the constitution and went through the basis for his discussion.

It was agreed that District Workshops would be organised in advance of Phase 2 of the planned changes to Default Speed Limits. The significance of the change was noted.

Liam Brett outlined that Phase 1 will commence in November and the delivery of signs is expected to be made in the short term. These are being centrally procured and guidance is awaited from the department on funding and he acknowledged that this is a huge issue. The roads section is waiting to hear on the costs on installation.

He confirmed that Tipperary County Council did not have representation on the consultative board and that an opportunity to make a submission on these changes was not provided to them.

In response to a query on what would happen if the members did not agree to the amendment of the bye laws, it was noted that Phase 1 is a default under the legislation. This is national legislation that is to come into play in November. It is not a bye law. Once it is changed it is the law. The bye laws are around the speed limits that the local authority sets. A review process will be undertaken with guidelines but these guidelines are not all to hand. The minister has indicated those guidelines must be followed.

A number of members sought further clarity on who could change bye laws and that there was never previously interference from national legislation on this. Cllr. Jim Ryan proposed that legal advice be sought by the council on the matter.

In summary, Ms. Sinead Carr, Chief Executive advised that the role of national government is to legislate for the entire country and this must be abided by. She acknowledged that the proposed changes are significant but national government have decided that Phase 1 is mandatory and the role of the elected member in Phase 2 is to work within the legislation noting there will be mandatory elements to consider. Elected members will be informed by the guidelines they will receive. The Chief Executive said she was happy to seek legal advice as proposed by Cllr. Jim Ryan. She noted that numerous elected members have highlighted speeding as an issue. She stated that while feedback was part of the role of the local authority, the legislation cannot be ignored. If it does not work then feedback can be given to our national legislature. She noted the importance of a workshop and suggested same could be facilitated at district level.

It was noted that Notice of Motion Ref. 2861 had been agreed unanimously by the Council

Item 9.3

Notice of Motion Ref. 2882

Ash Die Back

The Motion Reference No. 2882 was proposed by **Cllr. K. Cahill Skehan.**

"Further to representations made to me by IFA regarding the potential safety risk to road users and members of the public that Tipperary County Council would write to the relevant Minister(s) in support of the development of a new national scheme that would financially assist landowners that are responsible for trees infected with ash dieback along roadside boundaries".

Cllr. Kay Cahill Skehan outlined her reasons for this motion.

The motion was seconded by **Cllr. Ryan O'Meara**

Cllr. Ryan O'Meara suggested that this motion should go to the minister for state with a responsibility for forestry and a senior ministry and noted that at the moment farmers are endeavouring to deal with the problem themselves. He stated the safety issue and how important it is to move this one.

It was agreed that the motion would be forwarded to Ms. Pippa Hackett, Minister of State at Dept. of Agriculture, Food & the Marine

Item 5.1

Consideration of the Management Report contd.

Mr. Liam Brett, Director of Services, Mr. Paddy Crowley, S.E. & Mr John Nolan S.E. responded to queries raised as follows:

Hedgerows

Liam Brett acknowledged that this is a critical enforcement role that the local authority has. It was noted that the local authority request that all landowners manage their hedgerows. A media campaign serves as a reminder for this. Staff are monitoring areas and elected members are asked to highlight specific areas of concern to their District Engineer. It was noted that the local authority writes to landowners and will issue legal proceedings when necessary.

N24

It was noted that work on the eastern section had stopped and it is critically important that additional funding is allocated to allow this work to continue noting that the N24 is on the National Development Plan. The western side design is progressing.

Pedestrian Crossings

These are monitored by District Engineers. It was agreed that the District Engineers would look at locations identified by elected members.

Apple Tax Funds

Liam Brett acknowledged the councils support for a by-pass in Thurles. It was noted that a review of the National Development Plan must take place before an opportunity to make a submission to minister is possible.

Car Parks

An update on project timelines regarding the Cahir Car Park and the SuperValu Junction, Cahir will be provided to Cllr. Marie Murphy. It was noted that a robust design had been carried out on the SuperValu Junction and engagement with landowners and one stakeholder is now required.

R503

There is presently no update on the provision of additional funds for this project and the Council will continue to lobby for additional funding.

LED Lighting

18,000 lights will be replaced with LED bulbs under the PLEEP project. To date 6,000 approximately have been completed. Efforts are being made to get the appointed contractor to progress as fast as possible on the remaining 12,000 of which 800 are completed. It was acknowledged faster progress from the contractor would be preferable. The local authority will continue to seek additional funding from the department. It was noted that the councils budgetary process is an additional way to the department of obtaining funds for these projects.

Road Reinstatement

The local authority takes a strong stand with the various utility companies in terms of reinstating road opening properly. It was agreed to follow up with Cllr. D. Dunne on specific areas identified in the Carrick on Suir area. Specific areas should be highlighted to the Roads Section.

Condition of Local Roads

It is undertaken to bring this matter to the SPC as additional funding will be needed in the upcoming budgetary process to tackle this issue.

LIS/CIS

Neither schemes are open for applications at present. Elected members will be notified when the scheme opens.

School Traffic Calming - Clonmel

It was noted that a small amount of resurfacing works is to be completed at the Gael Scoil in Clonmel. It is planned to do this during mid-term. The design element for proposed works at the Loretto School in Clonmel is being reviewed. This is a bigger project linking into the Davis Road project

and there are other considerations. It was noted that the school is serviced by eleven buses and options for a simpler means of calming are being considered.

Suir Blueway project

A submission has gone to the TII for review at the moment. They have reviewed the feasibility study. It was noted that guidance has changed since the TII became the funding authority resulting in the local authorities having to review their studies and plans. Nationally 60 million has been allocated for greenways which also covers future travel and National cycle networks.

Bus Stop Enhancement programme.

This is run under the NTA and run in tandem with Connecting Ireland. The NTA is currently running a public consultation on proposed improvements to four key bus corridors in the Carlow, Kilkenny, Wicklow and Tipperary areas. The Roads directorate have been liaising with them.

Paddy Crowley S.E. has liaised with the districts on what enhancements can happen. It was noted that the key criteria are that five daily stops are needed for a bus shelter. New bus shelters are being proposed for low population areas which would be of benefit to Tipperary County Council as it would not take up as much space on the pavement. An update will be provided to members when available.

Active Travel

It was noted that larger projects are currently being worked on which take more time to deliver with limited funding from the NTA. It was noted that the NTA have advised similar allocation to 2024 in 2025 circa €4 million and the council will endeavour to get extra projects included. The projects that have been undertaken required significant funding with Davis Road costing in the region of 5 million which would have to be delivered in phases. It was noted that works in Emly was agreed in phases. This project is important for speeding. One phase has been completed and additional phases will be completed subject to funding availability.

Ardfinnan Bridge

A non-statutory public consultation is planned. The council have liaised with Ardfinnan community on using the hall and they are fully aware of it. Information packs are with the NTA to review before going to public consultation. An expression of thanks was made by Cllr. Ml. Anglim to Gillian Flynn of S.E.E. for her work on this project.

Lisbunny

South side is nearing completion. It is hoped that this will assist with the reported speed issues. The contractor has started on the North side. A finish is anticipated by year end.

Gas House Bridge

A request for further information was sought from An Bord Pleanala. A time extension was granted due to holiday period but staffing was an issue. An update from An Bord Pleanala is due following submission. An update will be provided to Cllr. Pat English when it is available.

Local Link

It was noted that Tipperary County Council is not the front face of Local Link. The work being undertaken by Local Link was noted in particular the success of the Clonmel Town Bus Service. The work of the local link committee was also commended. The provision of an extra bus from Newport and the provision of bigger buses was noted. Paddy Crowley advised that feedback can be made via email and contact emails for Local Link will be provided to elected members. It was agreed to follow up with the TFI re Local Link Workshop for elected members.

TII National Road Schemes

The difficulty securing TII funding as a result of budget cuts was which has affected roads maintenance projects.

Reference was made to the knock-on effect of two projects being delayed to next year. On a positive note, some schemes have been unblocked.

Knockagh Pavement Scheme

It was noted that the council has secured permission to sign the contract and that construction is expected to commence between now and the end of the year.

N75 Liberty Square to Anner Hotel Works

It is expected that this project will be put out to tender in the coming weeks. Construction is expected to commence in mid-2025. It was noted that projects in Thurles need to be phased as the Slievenamon Road Phase 2 cannot commence until the N75 to Anner Hotel works are completed.

Killaloe By-Pass/Shannon Bridge Crossing Opening

It was noted that the Killaloe by pass section is due to open by year end. Works are ongoing on the R494. This will be complete by March 2025 and the official opening will happen after that. It was agreed to follow up with Clare County Council regarding an invitation to elected members prior to official opening.

Moangarriff Scheme

Safety improvements undertaken a few years back to deal with the HGV parking issue, and pedestrian's crossing in an unsafe manner alleviated some of the immediate safety concerns however the Council will continue to lobby for progress on this programme.

Mackey Roundabout

It was noted that this is in Limericks jurisdiction. It was noted that Tipperary County Council have liaised with Limerick County Council in this regard. Limerick County Council have plans for a park and ride facility at Mackey roundabout but this project will not be completed in the short term.

N24 Tipperary/Cahir

A public consultation is scheduled for the 25th of October. District councillors will receive an invitation. This will unveil the active travel for the scheme. The Cathaoirleach confirmed that the invitation has been emailed to the relevant elected members.

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

It was agreed on the proposal of the Cathaoirleach to take Item 8.1 - Notice of Motion Ref. 2859 in relation to Modular Homes/Log Cabins/Mobile Homes as part of the Planning and Development Report.

Item 8.1 Notice of Motion 2859 **Modular Homes/Log Cabins/Mobile Homes**

The Motion Reference No. 2859 was proposed by **Cllr. Anne Marie Ryan (Shiner)** and seconded by **Cllr. David Dunne**.

“That this Plenary Council establish a Working Group of Councillors and Officials from Housing and Planning interested in researching potential use of modular homes/log cabins/mobile homes, as a means of providing temporary solutions to the current housing crisis. This should be a cross-party collaborative approach, examining best practice, nationally and abroad. Its aim is to develop a policy paper that can be submitted to the Department of Housing, Local Government and Heritage for consideration. Furthermore, a moratorium to be given on existing modular homes/log cabins/mobile homes, until a response to the policy paper is received from the Department of Housing”

Part VIII of the Planning and Development Act 2000, as amended, sets out the Planning Authority's obligations with respect to unauthorised development. In all instances the Planning Authority will work with individuals where unauthorised developments of this type of dwelling has come to its attention, in an effort to assist developers/individuals on becoming planning compliant.

In reply Cllr. David Dunne noted that the sellers of mobile homes are not giving the correct details to people with regard to planning. Cllr. Anne Marie Ryan referred to a pilot project in Cork for temporary social housing.

All Members spoke in support of the motion and outlined their concerns on the housing issues while noting the requirement to conform with Planning legislation.

Sharon Kennedy, Director of Services in reply stated that the Planning Directorate will work with the Planning SPC on the issues raised in the notice of motion, and subject to approval of the Chair of the Housing SPC, will work with the Housing SPC to scope out the terms of the review and update the members in due course. However, as referenced by some members, she re-iterated her concerns regarding the implementation of one element of the Notice of Motion, which is illegal and could not be implemented as it was not in compliance with legislation.

The reply to the motion was noted as follows:

Tipperary County Council will refer this Notice of Motion as an item for the work programme of the Planning SPC and report back via the Planning SPC to the Council. The Planning SPC will set out the scope, tasks and goals of the review.

Following further consideration **Cllr. David Dunne** proposed an amendment to the Notice of Motion to remove the following sentence:

"Furthermore, a moratorium to be given on existing modular homes/log cabins/mobile homes, until a response to the policy paper is received from the Department of Housing"

The proposal to amend the motion was seconded by **Cllr. Anne Marie Ryan (Shiner)** and agreed.

Item 5.1
Consideration of
the Management
Report contd.

Sharon Kennedy, Director of Services and Ann Marie Devaney, Senior Executive Planner responded to queries raised as follows:

Vacancy & Dereliction Team

The Director of Services noted that this team are now migrating from environment to the Planning Directorate. A number of staff have been assigned and Shane Grogan will head this up and team expected to be in place by October. Once the team is established the plan is to then go out for solutions in the nine main towns over a period of time. Some solutions are in place. Property owners have been contacted. Another alternative is to 'Buy and Flip'. The council purchase the property and deal with any title issues. They then have the option to renovate for social housing or sell it as it is. The Chief Executives strong support on town centre progress was noted. Sharon Kennedy stated that many of the reasons for vacancy & dereliction are complex. These can take time to resolve but the introduction of a team, funding, legislation and grants should assist with progressing this area.

The legislation and the policy proposals are applicable throughout the county. RRDF was noted as being more widely applicable.

Serial Planning Objectors

It was noted that any member of the public can make a submission on a planning application within the first five weeks. The frustrations with agricultural developments was noted. The mechanism for submission is set out under Planning laws. Historical delays with An Bord Pleanala were attributable to a backlog. Turnaround time frames were noted as improving. There is a high correlation in decisions with Tipperary County Council and An Bord Pleanala. It was stated that there is no mechanism for precluding anyone from objecting to a planning application and they can appeal that to An Bord Pleanala. The best the local authority can do is ensure a robust application that will stand up to scrutiny.

Emergency Services & Emergency Planning

Dave Carroll, Chief Fire Officer, responded to queries raised as follows:

Carrick on Suir Fire Station 4x4 for Blueway

It was noted that various options were being explored but no vehicle had been purchased to date.

Library, Cultural Services & Biodiversity

The Cathaoirleach welcomed Caitriona O'Connor, Royal Sites Co-Ordinator to the meeting.

Brian Beck, Director of Services & Damian Dullaghan, County Librarian responded to queries raised as follows:

Royal Sites of Ireland

The new role in the Royal Sites of Ireland was outlined and noted as a significant step. This role is on the basis of all local authorities contributing to the funding of the role and Catriona will be working across all sites.

Clonmel Library

It was noted that the planning design was progressing and it was hoped to bring the Part 8 proposal to the District members before the end of the year, noting that €3m funding had been secured from the Library Capital Fund leaving a deficit of over €7m to complete the proposal. The intention was to proceed to Planning and continue lobbying the Department for additional funds.

Cahir Library

Tenders for the construction element are being reviewed by the RRDF team. It is hoped to go to construction tender by the end of the year.

Templemore Library

Books are currently being delivered and IT systems are being organised. It is anticipated that the library will open by year end. The project is progressing well and the excellent work of the design team was noted.

Finance & Information Technology

Mark Connolly, Head of Finance responded to queries raised as follows:

ICOB

It was stated that the cut off is thirty thousand and there are always cases that will fall outside of the threshold. The department will confirm the same on such cases. The local authority is fully auditable on grants and must adhere to the rules. He stated that the ICOB grant is based on the full rates bill. He advised Cllr. Mairín McGrath that he will revert to her on specific case queries on the early payment scheme. Mark Connolly will revert directly to Cllr. Roger Kennedy on his query regarding direct debits and standing orders.

Revenue Budgets

Clarification was provided concerning spend to date and the timing and drawdown of grants received.

Rate Abatement Scheme V Rates Waiver Scheme.

New legislation has been published. The major change is that a public consultation is required to implement an abatement scheme. Information was provided to elected members. The volume of information was noted. A public advertising campaign will take place in 2025. The public will be asked to submit their views.

A Waiver Scheme applies to a general class of business. Members can propose a waiver to a certain sector. There has to be rules around that sector. The new legislation requires that a waiver scheme for a sector must go through the SPC. A waiver scheme results in less income for a local authority and this would have to be budgeted for. The name changed

in 2024 and the vacancy is now called an abatement. This will have to be discussed and approved by members as part of the Budget consideration for 2025.

Mark Connolly advised members that he was happy to discuss with members outside of meeting.

Meetings were agreed as follows; -

Item 6.1

Agree Date for Meetings

Budget Meeting

- Friday, 29th November 2024 – Clonmel (Hybrid - In Person & Remote)

Budget Workshops

- Tuesday 5th November at 2pm - Clonmel (Hybrid - In Person & Remote)
- Friday 22nd November at 2pm - Nenagh (Hybrid - In Person & Remote)

Special Housing Meeting

- Monday, 11th November at 10 am - Clonmel

Item 6.2

Publication of the Draft Carrick-on-Suir Local Area Plan 2025-2031

The Cathaoirleach referred this item to Fergal O'Donnell, Senior Executive Planner who outlined the process. A document was provided to the elected members noting that Tipperary County Council is preparing a new Local Area Plan for Carrick-on-Suir, which will set out the land use strategy for the town to ensure the town can grow, support employment and homes and can do so sustainably and successfully. The public consultation period was noted as open from Friday 25 October 2024 until 4pm on Monday 09 December 2024. Elected members were advised that council planning staff will be available to answer general queries and provide guidance on the Draft LAP on Wednesday 13th November 2024 at the Carrick-on Suir Library.

In response to a query from Cllr. Kieran Bourke, Fergal O'Donnell advised that workshop for local elected members can be organised if required.

Item 7.1

Consideration of Orders for the period to the 30th September, 2024.

Chief Executive Orders and Delegated Officers Orders for the period to the 30th September, 2024 were noted.

It was agreed to review the format of the report for presentation purposes.

Item 9.1

Notice of Motion 2860 Public Procurement Procedures – Human Rights

The Motion Reference 2860 was proposed by **Cllr. Anne Marie Ryan (Shiner)** and seconded by **Cllr. David Dunne**.

"Tipperary County Council deplores those corporations that profit from protracted armed conflict and systematic violations of human rights, particularly in the context of Israel's continuing brutal assault on the people of Gaza and escalating settler terrorism in the West Bank; Russia's ongoing war of aggression against Ukraine;

and other conflicts around the world. With this motion, the Council encourages companies to meet their obligations to avoid contributing to adverse human rights impacts through their own activities, and to prevent or mitigate human rights abuses linked to their operations.

The Council is aware of the crucial role of local authorities and their public procurement procedures in ensuring respect for human rights by companies, as well as their obligations under widely accepted business and human rights norms - as laid down in the UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, and the Global Sullivan Principles (1999) - to promote respect for human rights by companies with which they do business.

The Council affirms that every endeavour is made to ensure that Council's tender processes are consistent with the above principles, including under the Fourth Geneva convention relative to the Protection of Civilian Persons in Time of War and under customary international humanitarian law, prohibiting the importation or sale of goods or services originating in occupied territories.

This Council resolves to adopt a rights-based Ethical Procurement Policy (EPP) that takes fully into account existing obligations and standards. The EPP will incorporate widely accepted and precisely formulated international standards and explain clearly how the policy will be implemented. The primary aim of the EPP is to ensure that human rights obligations are properly acknowledged, observed, and respected at all stages of the procurement process. By adopting this motion, Tipperary County Council commits to leading by example in ethical procurement practices, ensuring that our operations support and promote human rights and international law. We urge all members to support this motion and take a stand for ethical governance”.

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

Tipperary County Council can confirm that the Council's current tender processes are consistent with current Irish and EU Procurement law. Ireland currently implements all UN and EU trade sanctions. Tipperary County Council's Procurement Policy (EPP) that takes fully into account all existing EU requirements and standards.

The Department of Enterprise and Trade advises that neither Ireland nor the EU currently have restrictive measures above and beyond the current trade sanctions in place. Ireland does not impose any unilateral sanctions but implements UN and EU sanctions. The Council of the European Union adopts EU sanctions through Council decisions, which must be agreed unanimously.

Ireland has given undertakings as part of its WTO membership to grant non-discriminatory access to its markets in goods and services and has joined the Government Procurement Agreement (GPA), expanding its commitments with regard to market access. Under the current Irish and EU Procurement regime, suppliers in a country outside of the EU that has

signed up to the World Trade Organisation's GPA are eligible to submit tenders for Irish public sector contracts. The Department of Enterprise and Trade has previously indicated that any move by a public authority to act outside of any agreement may be seen to breach our international trade commitments and also may be seen as discriminatory in relation to goods and services, otherwise legally saleable within the Union.

In 2022 Council Regulation (EU) 2022/576 was adopted and incorporated into Irish tendering procedures. This regulation arose from the invasion of Ukraine by Russia. Details of the regulation are at this link gov.ie - Restrictive measures in the context of Russian actions in the Ukraine (www.gov.ie).

Tipperary County Council also requires each tenderer to sign a 'Declaration as to the Personal Circumstances of Tenderer'. This is a list of questions that potential suppliers have to answer to provide a self-declaration that none of the procurement exclusion grounds have been breached.

Subject to council approval this motion will be forwarded to Mr. Paschal Donohoe, Minister for Public Expenditure, for consideration in the context of amending national and EU procurement policy.

The Motion Reference 2881 was proposed by **Cllr. Pat English**, seconded by **Cllr. David Dunne**

Item 9.2

Notice of Motion 2881 Occupied Territories Bill

That Tipperary County Council request the Irish Government to pass the Occupied Territories Bill which would make it illegal to do business with anyone who is illegally occupying an area of land anywhere in the World. Trade embargos like this would apply to illegal Israeli settlers trying to profit from Palestinian Land.

As Israel continues to expand its settlements in the West Bank, it is vital that we ensure these crimes are not rewarded with trade from Ireland. If the occupied

Territories bill is passed we can set an example to other countries to follow. Just like what happened with apartheid in South Africa.

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

All members spoke in support of the motion.

It was agreed that the motion will be referred to Minister Micheál Martin, Tánaiste and Minister for Foreign Affairs for consideration and reply.

Item 10.1, 10.2, 10.3 & 10.4 Correspondence

Correspondence as circulated was noted as follows: -

- Reply dated 14th August 2024 TII re Verge Hedge Cutting Programme Tipperary
- Reply dated 27th August 2024 re Funding for the N24 Waterford to Cahir Transport Corridor
- Disability Federation of Ireland dated 20th September 2024 Information Sheet

- National Oversight & Audit Commission Summary of Local Authority Performance Indicator Report 2023 dated 20th September 2024

Item 11.1
Motions from
Other Councils

The following Resolutions from other Local Authorities were considered: -

Roscommon County Council

"Household Waste Disposal – It was agreed to write to the Minister for Environment seeking the imposition of tougher and increased new fines to deter illegal dumping".

Roscommon County Council

"It was agreed to send a letter to the Minister for Finance Jack Chambers and Minister for Tourism Catherine Martin seeking the reintroduction of the 9% Vat rate for the hospitality sector".

Sligo County Council

"That Sligo County Council writes to the Minister for Social Protection to request a review of existing community employment schemes in place in the state with a view to putting in place an ambassador/care-taker scheme for every village in Ireland, that a person, or persons be paid accordingly to support tidy towns and community development groups with maintaining and enhancing their communities. For example, a village with a settlement of 1000 or less, may be eligible for one worker, 1000 plus two workers etc. That this motion be forwarded to the Taoiseach, Tánaiste and all other Local Authorities for consideration".

Item 12.1
Expressions of
Votes of
Sympathy

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

- The family of Ted Boyle, ex-Mayor of Clonmel Corporation and member of South Tipperary County Council
- The family of Mary Swords, former Councillor, Tipperary Town Council
- Janice Gardiner on the death of her mother in law Doreen Hanley
- Susan Scally, Thurles MD and Debbie Scally, Thurles Library on the death of Paul Scally, retired staff member Thurles MD
- Lauren Murphy, Corporate Services, on the death of her grandmother, Mary Quinn
- The family of Mary Swords, former member of Tipperary Urban Council
- Anne Loughnane, Templemore Library on the death of her daughter Aine Hennessy
- Fergal Carroll, Machinery Yard and Colette Moloney, Environment on the death of Fergal's mother Mary Jo
- Family of the late Mary O'Rourke, former Fianna Fáil Minister

Votes of
Congratulations

The following Votes of Congratulations were passed: -

- Cashel King Cormacs Premier Intermediate Hurling team & Management on winning the County Tipperary Premier Intermediate Hurling Championship Final
- Loughmore-Castleiney Senior Hurling team & Management on winning the County Tipperary Senior Hurling Championship Final

- Moneygall Intermediate Hurling team & Management on winning the County Tipperary Intermediate Hurling Championship Final
- Moyle Rovers Junior A Hurling team & Management on winning the County Tipperary Junior A Hurling Championship Final
- Knockmealdown Gaels U15 Hurling team & Management on winning the County Tipperary U15B Hurling Final

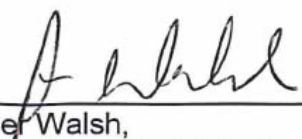
Item 13.1

Any Other Business

There being no other business, the Meeting concluded.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date: _____