

# Agenda

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## *Ethics Declarations*

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

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## *Consideration of Minutes*

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### **2.1 Minutes of Council Meeting held on the 13th July, 2020**

### **2.2 Minutes of Special Meeting held on the 4th September, 2020.**

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## *Conferences / Seminars / Training*

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### **3.1 Approval to Attendance**

### **3.2 Reports on Conferences**

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

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### **4.1 Section 183 Notice - Disposal of derelict property at Ballyrichard, Mullinahone, Co. Tipperary to Gary Fitzgerald**

- Derelict property in remote area not required for social housing purposes

### **4.2 Section 183 Notice - Disposal of land at Clonagoose, Mullinahone, Co. Tipperary to Bridget and Michael Quirke**

- Land at Clonagoose, Mullinahone no longer required by Tipperary County Council

### **4.3 Section 183 Notice - Disposal of land at Ballingarrane. Clonmel, to Conor Cooney**

- Lease of lands for a five year period.

### **4.4 Section 183 Notice - Property at Knockgarve, Aghnameadle Ormund Upper, Borrisoleigh, Co. Tipperary to Patrick Berkery**

- Land no longer required by Tipperary County Council

### **4.5 Section 183 Notice - Lease of Erasmus Smith House, Church Street, Cahir, Co. Tipperary to Tipperary Energy Agency.**

- Renewal of Lease Agreement for a 5 year period

**4.6 Section 183 Notice - Disposal of lands at Knockmorris, Cahir to Solar Sense Limited.**

- Disposal of a wayleave to facilitate the laying, installation and maintenance of electrical cable from a Solar Farm to a ESB substation.

**4.7 Section 183 Notice - Disposal of office space at Cashel Civic Offices, Cashel, Co. Tipperary to Tipperary Childcare Committee**

- Renewal of lease for a 5 year period

**4.8 Section 85 Agreement between Offaly County Council and Tipperary County Council - provision of a Cycleway between Nenagh and Roscrea (Old N7) - report attached.**

**4.9 Local Property Tax – Consider the Local Adjustment Factor in accordance with Part 4 of the Local Property Tax (Local Adjustment Factor) Regulations 2014 - report attached.**

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*Appointment of Members to Committees or Boards*

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**5.1 Nomination of member to the Economic Development and Enterprise Strategic Policy Committee**

**5.2 Nomination of member to the Community, Culture and Library Services Strategic Policy Committee.**

**5.3 Nomination of replacement nominee to South Tipperary Arts Centre**

**5.4 Ratification of Joint Policing Committee (JPC) membership**

**5.5 Ratification of member to represent Clonmel Borough District on Corporate Policy Group (CPG)**

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*Consideration of Reports and Recommendations*

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

- Roads, Transportation, Health & Safety
- Planning
- Fire & Emergency Services
- Libraries & Cultural Services

- Finance and Information Technology.

## **6.2 Proposed Cahir Local Area Plan 2021-2027 - Report Attached**

- For noting

## **6.3 Review of South Tipperary County Development Plan 2009-2015 (as extended) and North Tipperary County Development Plan 2010-2016 (as extended) and commencement of the preparation of a new Tipperary County Development Plan 2022-2028 in accordance with Section 11 of the Planning and Development Acts 2000 (as amended) - report attached**

- For noting

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

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## **7.1 Agree meeting dates**

- Date for Workshop with Irish Water - Tuesday 22nd September at 10 a.m. in Moycarkey/Borris Community and Sports Centre, Littleton.
- Fix date for Workshop on 5G and EirGrid.

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### ***To receive Presentation or attendance by outside bodies***

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## **8.1 Presentation - National Broadband Ireland**

- As agreed at Special Meeting on the 4th September, 2020, presentation will be taken at 9.30 a.m. prior to commencement of Monthly Meeting.
- Presentation by Mr. Joe Lavin, Chief Commercial Officer and Mr. Billy Manley, Local Authority Liaison Project Manager, NBI.

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

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## **9.1 Consideration of Orders for the period to the 31st August, 2020.**

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

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## **10.1 Cllr. Tony Black and Cllr. David Dunne (Ref. 1902) - Deferred from July Meeting**

Tipperary County Council calls on the Office of Public Works to carry out the necessary excavation works to recover the remains of Joe Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly, in what is commonly known as the Invincibles Yard at Kilmainham Jail. The bodies of these five members of the Irish National Invincibles lie beneath the paving slabs of the yard where they were executed in 1883 for their part in the Phoenix Park assassinations.

The families of the five men were represented by the National Graves Association and wish of the families is for their relatives to be exhumed from Kilmainham Jail and reinterred in consecrated ground at Glasnevin Cemetery.

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

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#### **11.1 Cllr M. Anglim (Ref. 1930)**

I call on Tipperary County Council to write to the Minister for Transport and Roads asking for funding to be made available now for a Cantilever walkway bridge to be built in Ardfinnan

#### **11.2 Cllr. John FitzGerald (Ref. 1939)**

I call on Tipperary County Council to clarify why there is such a high level of invalid Planning Applications in Tipperary compared to neighbouring counties.

#### **11.3 Cllrs. Marie Murphy, Micheál Anglim and Máirín McGrath (Ref. 1940)**

We call on Tipperary County Council to work with elected members, and for the council to be more open minded when councillors are asked by residents, to organise a meeting between those residents and the council with particular emphasis on the 'Taking In Charge' process.

Many residents in estates not yet taken in charge find themselves in very stressful and in some cases dangerous health and safety situations through absolutely no fault of their own. We, as councillors, are here when called upon to assist the public in their dealings with council officials. However, when we are refused such a meeting it puts us as councillors in a very difficult position.

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

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#### **12.1 Cllr. Andy Moloney (Ref. 1914)**

That this Council call on the Minister for mental health to carry out a review of the "connecting for life programme 2015-2020" which consisted of a "connecting for life mid-west and South Tipp 2017-2020" and implement a new plan 2020-2025. This plan rolled out by the HSE would engage with the local groups to carry out strengths and weaknesses of the old plan and work as a unit on the next stage and highlight the awareness of the HSE suicide awareness office.

#### **12.2 Cllr. Richie Molloy (Ref. 1915)**

That Tipperary County Council call on the Government to deliver on a 2008 Labour Court ruling to provide pension entitlement to supervisors on Community Employment schemes in the state. The Governments inaction on the 2008 decision is totally undermining the Labour Court and causing undue hardship to supervisors that made no alternative arrangements on foot of this historical court decision.

#### **12.3 Cllr. Jim Ryan (Ref. 1916)**

I am calling on the Government to reintroduce the Death Grant Scheme as I have been contacted by numerous families who are struggling to pay the huge costs involved in organising a funeral for a loved one.

## 12.4 Cllr A. Moloney (Ref. 1923)

That this council ask Irish Rail for an update on the timetable change between Limerick Junction and Waterford now that the line has had its improvements and also if a Sunday evening service was considered for students returning to college.

## 12.5 Cllrs T. Black, D. Dunne (Ref. 1924)

That this council write to the Minister & Department of Defence and request that the veterans of Jadotville be awarded the medals recommended by their commander Commandant Pat Quinlan.

In September 1961, 155 Irish Troops on a UN Mission and stationed at Jadotville were attacked by anywhere from 3,000 to 5,000 Katangese Troops supported by Foreign Mercenaries. They held out for five days and only lack of ammunition and water forced them to surrender. Commandant Pat Quinlan's Defensive battle at Jadotville is now studied at Military Academies all over the world. Commandant Quinlan recommended the following medals for his Soldiers

-five men for the Irish Army's Highest award the Military Medal for Gallantry.

- 27 men for the Distinguished Conduct Medal.

None of these medals were ever awarded. Only 8 of the 32 Men are still alive. A Jadotville Medal was awarded in 2017 but this was not the Bravery Awards as recommended by Comdt Quinlan.

We would ask the Government to immediately award all medals to the Jadotville Men while they are still alive.

## 12.6 Cllr S. Ambrose ( Ref. 1941)

That Tipperary County Council writes to the new Minister for Agriculture Deputy Charlie McConalogue requesting that new and tougher legalisation be introduced to curb the escalating incidences of animal cruelty across our country. This newly proposed legislation should address the huge increase in dog theft and in turn the illegal sale of these dogs on line and it should also cover the ongoing acts of cruelty to horses. Furthermore, the role of responsibility for implementing this new legalisation and looking after animal welfare in each county should be assigned to one national agency for example the Department of Agriculture as opposed to the current position where numerous agencies are involved.

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### *Correspondence*

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#### 13.1 Reply from Office of Minister for Health dated 17th August, 2020.

- St. Michael's Mental Health Unit in Clonmel. (NOM 1900)

#### 13.2 Letter from Fermanagh & Omagh District Council dated 21st August, 2020

- Domiciliary Care Services

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### *Resolutions from Other Local Authorities*

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## **14.1 Derry City and Strabane District Council**

"That Council believes that care homes and the organisation and operation of domiciliary care services across the North should be brought back into the public ownership as part of the National Health Service.

That the Covid-19 crisis presents an unprecedented threat to public health. The scale of the crisis clearly demonstrates the critical role of a fully funded and protected public health service.

Council agrees that two divergent public health strategies to deal with a pandemic on the island of Ireland, North and South, is irrational, impractical and dangerous. Council calls for a fully integrated all-Ireland public health strategy.

Council supports the campaign for an all-Ireland health service free at the point of delivery from the cradle to the grave.

Council agrees to invite representatives from the all-Ireland health service campaign to make a presentation to Council.

## **14.2 Limerick City and County Council**

"That, Limerick City and County Council support the National Small Business Recovery Plan in order to protect the thousands of jobs that SMEs provide throughout County Limerick and that Limerick City and County Council write to the Government and, in particular, Mr. Leo Varadkar, TD, the new Minister for Enterprise, Trade and Employment, to fund and immediately implement the findings and recommendations of the National Small Business Recovery Plan"

## **14.3 Limerick City and County Council**

"The Economic Development, Enterprise and Planning Strategic Policy Committee recommends that Limerick City and County Council request an urgent meeting with the Minister with responsibility for Planning to outline the Council's opposition to the National Planning Framework on Rural Housing Policy; the SPC also recommends that the request be circulated to all local authorities.

That Limerick City and County Council totally reject the National Planning Framework policy regarding once-off rural housing based on social and economic need; (b) a meeting be arranged with the Minister responsible to highlight the issues around this policy; and (c) this Motion be circulated to all Local Authorities to discuss and support same".

## **14.4 Louth County Council**

That Louth County Council establishes a special taskforce with the relevant stakeholders and the local community in light of the impact Covid-19 is having and will continue to have on peoples mental health and well being.

## **14.5 Roscommon County Council**

"That Roscommon County Council call on the present or incoming Government to financially support all Tidy Towns & Voluntary Groups in County Roscommon to ensure maintenance of all public areas not under the remit of the Local Authority. The future of ongoing support from Local business and fundraising will be seriously impacted due to Covid-19. In the interest of visual appearance and tourism after this pandemic, we need to attract additional visitors to the country to support our local business (ratepayers).

The good work of many volunteers both in County Roscommon and Nationwide needs to be supported"

## **14.6 Sligo County Council**

"A huge proportion of the lands in Ireland have no registered rights of way. In the most recent book of Mr. Peter Bland SC on the area it appears there is an anomaly in the legislation regarding the registration of rights of way in the Property Registration.

At the moment you may assert a right of way by prescription in that the right of way has been used as of a right without permission, without secrecy and without consideration for in excess of 12 years in an application form but you must declare that the right is not a right of way of necessity for them to be able to consider the application. This obviously precludes most applications.

I call on Sligo County Council to write to the Minister for Agriculture and the Minister for Justice to amend the legislation to permit the Property Registration Authority to include rights of way by necessity in their remit which are surely the simplest to adjudicate from map inspections and should be kept away from costly court proceedings in order to free up the courts or to set up an Independent adjudicator to deal with these matters quickly".

## **14.7 Sligo County Council**

"That Sligo County Council bans the use at official and unofficial bathing places and sale of at any location within the county of inflatable dinghies and all dangerous inflatable products, and that the Council write to the Department of Housing, Planning and Local Government to seek a nationwide ban on these dangerous products before more young lives are lost.

These products have consistently warned of the dangers of these products and have been described by Irish Water Safety as "Floating Killers".

## **14.8 Waterford City and County Council**

That Waterford City and County Council support SIPTU and the "Big Start Campaign" which demands adequate investment in the Early Years services to make it affordable, accessible with high quality with professional pay for childcare workers. And further calls on the government to fully support the campaign.

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

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

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### ***AOB***

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