

Oifigí Cathartha,
Bóthar Luimnigh,
An tAonach,
Co. Thiobraid Árann.
Email: info@nenaghtc.ie
Website: www.nenaghtc.ie

24th September, 2009



Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary.
Tel. 067 31241 / 31044
Fax 067 34841

TO/ MAYOR AND EACH MEMBER OF THE COUNCIL

Dear Councillor,

Glaodthar ort bheith í láthair ag Cruinniú Miosuil na Comhairle, in Oifigí Cathartha, Bothar Luimnigh, De Luain, 28^ú Mean Fomhair, 2009, ag 7.00 p.m.

You are requested to attend the Monthly Meeting of Nenagh Town Council to be held in the Civic Offices, Limerick Road, Nenagh, on Monday, 28th September, 2009, **at 7.00 p.m.**

Yours faithfully


TOWN CLERK

AGENDA

1. To consider Minutes of July Monthly Meeting.
2. To consider Minutes Action Plan
3. Managers Orders (Copy herewith).
4. Planning Register for inspection (Copy of weekly list of Planning Applications from 22nd July to 23rd September 2009).
5. To receive Report on Over-Expenditure in the Water Services area in 2008
6. To consider Proposed Amendment to Standing Orders Regulating the Proceedings of Nenagh Town Council (see attached)
7. To receive Manager's Report on proposed works at 99 St. Joseph's Park in accordance with Part VIII of the Planning and Development Act, 2000
8. To approve commencement of Public Consultation on amendments to Traffic and Parking Bye-Laws

9. Nomination of Member to Board of Directors of North Tipperary Genealogy and Heritage Services Ltd.
10. Nomination of Member to Strategic Policy Committee
11. To discuss correspondence received from A.M.A.I.
12. To discuss Scouts Hall
13. To discuss Nenagh Castle Project
14. Correspondence.
15. Town Mayor's Business.
16. Town Manager's Business
17. Town Clerk's Business.
18. Town Engineer's Business
19. To discuss Notices of Motion.
20. Any other Business.

NOTICES OF MOTION

1. Notice of Motion in the name of Cllr. S. Morris

“That this Town Council explains their overall plans and their timeframe for achieving the through road in Ball Alley Lane as promised by Nenagh Town Council to the Fire Chief when he allowed the Fire Certificate for the Developments in the area.”

2. Notice of Motion in the name of Cllr. S. Morris

“That this Town Council takes steps to make tenants of Nenagh Town Council responsible for their co-inhabitants if those co-inhabitants are causing trouble for the rest of the responsible tenants of the estate.”

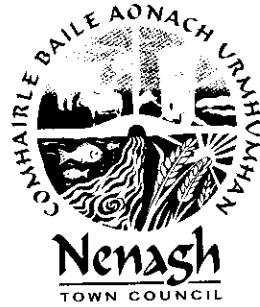
3. Notice of Motion in the name of Cllr. H. McGrath.

“That Nenagh Town Council call on the Taoiseach and Minister for Social and Family Affairs to publish the National Carer's Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the Programme for Government as a matter of principal.”

4. Notice of Motion in the name of Cllr. H. McGrath.

“That Nenagh Town Council erect a sign on Ashe Road asking motorists if turning left at Banba Square that they indicate left so as to help traffic coming from the Courthouse side. Similar signs are used in Cork City.”

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Dónal Purcell, Town Clerk

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24th September 2009.

To the Mayor and Members of Nenagh Town Council

Dear Councillor,

It is proposed to amend No. 87 of the Standing Orders Regulating the Proceedings of Nenagh Town Council regarding casual vacancies which may arise during the term of the Council. While Section 19 of the Local Government Act, 2001 (copy attached) gives clear direction regarding vacancies created by Members of political parties, it states that each Local Authority should make provision in its Standing Orders regarding non-party Members.

Standing Order No. 87 currently reads as follows: -

Casual Vacancy

87. A casual vacancy shall be filled in accordance with Section 19 of the Local Government Act 2001.

It is proposed to amend Standing Order No. 87 to read as follows: -

Casual Vacancy

87. A casual vacancy shall be filled in accordance with Section 19 of the Local Government Act 2001.

Each Member of the Council who was elected as a non-party candidate to the Council must, immediately after his/her election to the Council, submit to the Meetings Administrator in a sealed envelope, the name of his/her nominee to be co-opted as a replacement on the Council in the event of he/she being required to vacate his/her office, for any reason, during the lifetime of the Council. The Council shall co-opt any person thus nominated.

This matter will be considered at the Monthly Meeting of the Town Council to be held on Monday next, 28th September.

Yours faithfully,

Town Clerk

(a) to which he or she was elected, nominated or appointed by Pt.3 S.18 the local authority, or

(b) of which he or she is a member by virtue of being a member of the local authority.

(4) (a) A person shall be deemed to have resigned from membership of a local authority where the person is absent from attendance at any meeting of the authority for a continuous period of 6 consecutive months ("the relevant period") from the date ("the relevant date") of his or her last attendance at a meeting of the authority.

(b) *paragraph(a)* does not apply where the absence was—

(i) due to illness, or

(ii) in good faith for another reason,

and which, in either case, is accepted by the local authority and approved by resolution under this paragraph before the end of the relevant period, in which case the period shall stand extended to 12 months from the relevant date.

(c) Where a resolution is passed under *paragraph (b)* and the continuous period of absence continues uninterrupted—

(i) due to illness, or

(ii) in good faith for another reason,

and, in either case, is accepted by the local authority and approved by resolution under this paragraph before the expiry of the relevant period as extended under *paragraph (b)*, then the period shall stand extended to 18 months from the relevant date.

(d) A casual vacancy under this subsection occurs on the next day after—

(i) in the case of *paragraph (a)*, the end of the relevant period,

(ii) in the case of *paragraph (b)*, the end of the relevant period as extended under that paragraph, or

(iii) in the case of *paragraph (c)*, the end of the relevant period as extended to 18 months under that paragraph.

(5) Attendance as a member at a meeting of any committee or joint committee or joint body of the authority shall be deemed for the purposes of *subsection (4)* to be attendance at a meeting of the authority.

19.—(1) A casual vacancy in the membership of a local authority Casual vacancies. occurs—

(a) where *section 16(1)* applies,

- (b) upon the death or resignation (including deemed resignation by virtue of *section 18(4)*) of a member of a local authority,
 - (c) in such circumstances as are set out in Articles 25, 28 and 124 of the Local Elections Regulations, 1995 (S.I. No. 297 of 1995),
 - (d) in such circumstances as may be prescribed by regulations made by the Minister under *section 27*, or
 - (e) in such circumstances as are referred to in *section 15(1)* of the Local Elections (Petitions and Disqualifications) Act, 1974.
- (2) It is the duty of the meetings administrator to notify the members of the local authority in writing on becoming aware that a casual vacancy has or may have occurred.
- (3) (a) A casual vacancy shall be filled by the co-option by the local authority of a person to fill the vacancy and except where *paragraph (c)* or *(d)* or *(e)* of *subsection (1)* apply, subject to such person being nominated by the same registered political party who nominated for election or co-option the member who caused the casual vacancy.
- (b) Where the person causing the casual vacancy was a non-party candidate at his or her election to the local authority, the vacancy shall be filled by the co-option by the local authority of a person to fill the vacancy (except where *paragraph (c)* or *(d)* or *(e)* of *subsection (1)* apply) in accordance with such requirements and procedures as may be set out in its standing orders.
- (c) A local authority shall in making standing orders consider the inclusion of provisions for the purposes of *paragraph (b)*.
- (4) (a) A co-option shall be made, after due notice, at the next meeting of the local authority after the expiration of 14 days from the occurrence of the vacancy or as soon after the expiration of the 14 days as circumstances permit.
- (b) In this subsection "due notice" means not less than 3 clear days' notice given in writing to every member of the local authority.
- (5) A person is not to be proposed at a meeting of the local authority for co-option without his or her prior written consent.
- (6) A person co-opted to fill a casual vacancy shall be a member of the local authority until the next ordinary day of retirement of members of that local authority unless he or she sooner ceases to be a member.