

**Minutes of Proceedings of Monthly Meeting of
Nenagh Town Council held in the Civic Offices, Nenagh
on Monday, 30th July, 2007**

Councillors Present: Cllr. S. Morris Cllr. T. Sheary
 Cllr. T. Moylan Cllr. S. Farrell
 Cllr. V. O'Dowd Cllr. T. Morgan
 Cllr. H. McGrath Cllr. J. O'Connor
 Cllr. T. Mulqueen

Also Present: R. Joyce, A/Town Manager
 D. Purcell, A/Town Clerk
 M. Woulfe, Town Engineer
 S. O'Callaghan
 K. Clifford

The Mayor, Cllr. S. Farrell presided.

The Mayor proposed a vote of sympathy with Eugene O'Brien, Nenagh Wastewater Treatment Plant on the death of his mother, Isabella, and with the family of the late Cllr. Paddy Durack, Thurles Town Council. All present wished to be associated.

1. To consider request for Resolution under Section 140 of Local Government Act, 2001 as set out hereunder: -

"We the undersigned direct the Town Manager, pursuant to Section 140 of the Local Government Act, 2001 to immediately look into putting in traffic ramps into St. Joseph's Park. The reasons for this extreme measure is to safeguard the residents of St. Joseph's Park and it comes after a young boy was knocked down only last weekend suffering a broken leg."

*Signed: Cllr. Seamie Morris
 Cllr. Joe O'Connor
 Cllr. Hugh McGrath
 Cllr. Tommy Morgan*

Cllr. Morris proposed this resolution and it was seconded by Cllr. McGrath.

The A/Town Manager said that she was surprised that the Members felt it necessary to put forward this request as a Section 140 Notice when there was a policy in place to deal with traffic calming. In accordance with this policy it is required that a majority of the residents of an estate must request that traffic calming measures be installed. She said that it was clear that road safety was paramount and the Council had commenced investigations from this point of view.

Cllr. Morris said that St. Joseph's Park was unique in that the only place where children could play was out on the road. He said that traffic calming in housing estates had been discussed in the chamber for some time and had decided that this matter could not wait any longer after this child had been knocked down.

Cllr. O'Connor requested that an amendment be made to the Section 140 Notice as follows: -

*"We the undersigned direct the Town Manager, pursuant to Section 140 of the Local Government Act, 2001 to immediately **put** traffic ramps into St. Joseph's Park. The reasons for this extreme measure is to safeguard the residents of St. Joseph's Park and it comes after a young boy was knocked down only last weekend suffering a broken leg."*

This amendment was seconded by Cllr. Sheary and supported by Cllrs. McGrath, Mulqueen, Moylan and Morgan.

The Executive requested an adjournment of 10 minutes.

When the meeting reconvened, the A/Town Manager advised that it would not be legal to amend the Section 140 Notice at this stage. However, there was nothing to prevent the Members putting forward another Section 140 Notice for the next meeting. She said that a technical assessment would be available for the next meeting.

Cllr. Morris suggested that the Members should proceed with the original Section 140 Notice and asked the Town Engineer to investigate the matter for the next meeting. This was unanimously agreed.

Cllr. Sheary proposed that standing orders be suspended to discuss an item not included on the agenda. Cllr. O'Connor seconded this proposal.

Cllr. Sheary referred to a recent article in the Tipperary Voice in which Cllr. Morris stated that the Members of Nenagh Town Council were hiding away and would have "blood on their hands" if there was an accident following the completion of the Part VIII process for the roadway from O'Rahilly Street to St. Conlon's Road. Cllr. Sheary said he took great offence to these remarks and requested that they be withdrawn.

Cllr. Morris apologised to his fellow Councillors for the remarks which had caused offence. He said he had given the interview because he was so angry over the fact that the Members had not had an opportunity to discuss the matter before the Part VIII process had been completed. He said that he had sent a request to the A/Town Clerk requesting a special meeting to discuss the issue but this had been denied.

The A/Town Manager said that she did not propose to respond at that stage as there were two Notices of Motion from Cllr. Morris on the agenda regarding the issue.

Cllr. Moylan felt that this issue should be discussed. He said that this issue had been debated for a full 12 months and a 17 point plan had then been put forward. It was unfortunate that the Part VIII had to be re-advertised on at least three occasions. The

Town Manager had explained the Part VIII process to the Members on several occasions. The Manager's Report had been circulated at the May Meeting and it was up to the Members to come back with any amendments within six weeks. No Member requested a Special Meeting at either the May or June Meeting. Cllr. Moylan said that he was happy with the process and didn't see any need to come back with any amendments and he had told the Chairperson of the Ormond Keep Residents Association this. Any Member who wished to, should have come back with an amendment.

The Mayor referred to an article in the Nenagh Guardian which stated that she was on holiday in France when Cllr. Morris had requested the Special Meeting. She said that she was actually on official Council business in Tonnerre, Nenagh's twin town. She said that Cllr. Morris had sent her a text and had not officially requested a Special Meeting.

A general discussion then took place on the issue.

Cllr. O'Connor asked the A/Town Manager to confirm that the procedure was 100% correct. The A/Town Manager replied that it was.

2. To consider Minutes of June Monthly Meeting

It was proposed by: Cllr. S. Morris
Seconded by: Cllr. J. O'Connor
and agreed that the minutes be adopted.

Cllr. O'Dowd referred to litter fine statistics which had been circulated and asked if there had been any prosecutions. The A/Town Clerk replied that two fines had been paid. Those with unpaid fines had been written to but had moved address and could not be contacted. Cllr. O'Dowd felt that this was disappointing.

Cllr. McGrath said that there was no detection of offences after 5.00 p.m. which was when most littering took place. The A/Town Manager agreed with this and said that she would report this concern to the Town Manager.

Cllr. Morgan suggested that the Litter Wardens should have proper equipment such as cameras in their caps. The Mayor recommended that this equipment should be priced.

To consider Minutes of Annual Meeting

It was proposed by: Cllr. T. Sheary
Seconded by: Cllr. S. Morris
and agreed that the minutes be adopted.

3. To Consider Minutes Action Plan

Lighting at Public Convenience and Abbey Lane Car Park

Cllr. Morgan asked that this work be completed as soon as possible as it was dangerous at night.

Meeting with Tidy Towns Committee

Cllr. Moylan advised that the next meeting of the committee would be the following week and he would ask the secretary to write to the Council with regard to arranging a meeting.

Nenagh Castle

The Members requested that a letter be sent to the OPW clarifying that the deputation had been sought in connection with the lease of the Castle Field and not the overall Castle Project.

Grass at Derrylavin Heights & Millmount

Cllr. McGrath said that the grass cutting was a poor attempt. The Town Engineer agreed to investigate.

Flooding at Ballygraique Estate

The Town Engineer informed the Members that work would be carried out shortly to alleviate this problem. He said that a pipe needed to be replaced which passed through private property and the owner would have to be contacted.

4. To Note Manager's Orders

Noted.

5. To Note Planning Register

Noted.

6. To consider Manager's Report under Part VIII of the Planning and Development Regulations, 2001 for the proposed construction of car park at Railway Station, Nenagh

The A/Town Manager said that the Members had been circulated with the Manager's Report in accordance with the Part VIII procedure and asked if there were any proposals to amend or reject the proposal.

The Members asked that the car park be open before the Christmas period. The Town Engineer said that the lease with CIE was currently being finalised. Cllr. O'Connor requested that the Town Manager write and inform the Members when the car park would be open. The A/Town Manager said that she would speak to the Town Manager.

7. To discuss Town Centre Car Parking

The A/Town Clerk informed the Members that an archaeological report had been done on the O'Rahilly Street Car Park and forwarded to the OPW and a response was awaited.

The Members queried the possibility of relocating the bus stop to the Railway Station when the car park was completed. The A/Town Clerk replied that this could not happen until the Thurles Road link from the N7 was completed.

8. To discuss Nenagh Castle Project

This item had already been dealt with under Action Plan.

9. To discuss Scouts Hall

The A/Town Clerk informed the Members that the Parish Team were to revert to him with further information.

10. To consider Contributions to Local Organisations

It was proposed by: Cllr. J. O'Connor
Seconded by: Cllr. V. O'Dowd
and agreed that the contributions as set out in the attached schedule be awarded and that the scheme be re-advertised later in the year to distribute any remaining funds.

Cllr. McGrath referred to correspondence received regarding the Nenagh All Weather Pitch which required works costing the region of €25,000. It was agreed that a meeting be arranged with Nenagh Community Network and the VEC to discuss the matter.

11. To consider Contributions under the Arts Act

It was proposed by: Cllr. J. O'Connor
Seconded by: Cllr. V. O'Dowd
and agreed that the contributions as set out in the attached schedule be awarded and that the scheme be re-advertised later in the year to distribute any remaining funds.

12. To consider Grants to Residents Associations

It was proposed by: Cllr. T. Sheary
Seconded by: Cllr. T. Mulqueen

and agreed that the contributions as set out in the attached schedule be awarded and that the scheme be re-advertised later in the year to distribute any remaining funds.

13. Town Manager's Business

None

14. Town Mayor's Business

None.

15. Town Clerk's Business

The A/Town Clerk informed the Members that application forms for the Community, Sports and Cultural Grants Scheme were now available.

16. Correspondence

Correspondence received from John O'Hanrahan

The Members stated that they had received correspondence from Mr. O'Hanrahan regarding speed limits on the Old Birr Road. The Mayor said that she would pass on this correspondence to the County Council as it was in their area.

Notice of Motion received from Monaghan Town Council

"That this Council call on The Minister for Justice, The Minister of State with Responsibility for Children and The Minister of State for European Affairs to come together to put in place a system that would alert the police, media and public within hours of a child going missing and this system would be brought forward at European level".

It was proposed by: Cllr. S. Farrell

Seconded by: Cllr. S. Morris

and agreed that this motion be adopted.

Notice of Motion received from Fermoy Town Council

"That all third level students who attend Universities or Institutes of Technology be eligible to vote in the Senate Eireann Elections".

This motion was noted.

17. To consider Notices of Motion

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

“That Nenagh Town Council by way of resolution adopt a proposal that the boundary of the town be altered, as per map to be agreed by Town Council to include Dromin, Richmond, Kilnasalla, Stoney Heights, Shesherahkeale and Benedine.”

This motion was seconded by Cllr. Morris.

The A/Town Manager informed that Members that this would be a long protracted procedure. There would be financial implications for both authorities. The Town Council would be taking on liability for services and there would also be an increase in the county demand. The financial implications would have to be set out and sent to the Minister. She felt that there should be joint approach by the Town Council and County Council to this matter and a joint committee set up. It was agreed that to correspond with the County Council to arrange a joint meeting to discuss the matter.

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

“That this Council separates the Part 8 Processes of the Through Road through Ormond Keep and the Affordable Housing Project in the same area and advertise them as separate Part 8 Processes.”

Cllr. Morris withdrew this motion.

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

“That this Town Council rejects the Part 8 Process to put a through road through Ormond Keep.”

Cllr. Morris Withdrew this motion.

18. Any Other Business

The Town Engineer informed the Members that he had had consultations with the residents of Annbrook Heights and Knockanpierce regarding additional car parking. He said one submission had been received with regard to Annbrook Heights and alterations proposed as result which had been agreed. 31 submissions had been received with regard to Knockanpierce and it was agreed that a further meeting be held with the residents. It was agreed that works would proceed at Annbrook Heights this year.

The Town Engineer showed the Members proposals for improvements at the Clare St./William St. junction. It was agreed to go to public consultation.

Cllr. Morris asked if the grass could be cut at the back of Woodview Close and that an abandoned car be removed. He also asked that Tim Porter, Cluid Housing be invited to attend a meeting to discuss the schemes at Tyone and Ballygarigue.

Cllr. O’Connor referred to numerous complaints he had received regarding compliance with planning conditions on a development at Drummin and asked that this be investigated.

Cllr. Mulqueen asked that an abandoned car at Silver Mews be removed.

Cllr. O'Dowd requested an update on Dromin Road Improvement works. The Town Engineer replied that work had commenced on phase one of the scheme from the VEC to the old speed limits. He said that undergrounding of services was almost complete.

This concluded the business of the meeting.

Mayor: _____

Town Clerk: _____

Date: _____