

**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 March, 2022**

Present

Cllr. Marie Murphy, Cathaoirleach.

Cllrs: Ambrose, S; Anglim, M; Bonfield, F; Bourke K; Burgess, D; Coonan, N.J; Crosse, J; Darcy, G; Dennehy, N; Dunne, D; English, P; Fitzgerald, J; Goldsboro, I; Hanafin, S ; Kennedy, R; Lee, S; McGrath, M; Molloy, R; Moloney, A; Moran, E; Ryan, J; Ryan, P; Ryan, S; Smith; MI.

Remote

Cllrs Black, T; Bugler, P; Carroll, J; Fitzgerald, Mk; FitzGerald, MI; Hannigan, J; Hanna-Hourigan, M; Lowry, M; McGrath, H; McGrath, J Rocky; Morris, S; Murphy, MI; O'Meara, K; O'Meara, MI; Ryan, AM.

Also Present

J. MacGrath, Chief Executive, K. Cashen, C. Curley, P. Slattery, E. Lonergan, Director of Services, J. Cooney, S.E., D. Holland, S.E., R. Boland, S.E.E., C. Morrissey, S.E.O., M. O'Neill, S.E.O., S. Grogan, A.O., S. Lonergan, A.O., G. Walsh, Meetings Administrator.

Item 1.1

The Cathaoirleach welcomed members back to in person meetings and welcomed Cllr Peggy Ryan to her first meeting in the Council Chamber.

**Welcome &
Introduction/
Meetings
Protocol**

The Cathaoirleach advised 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.

The Meetings Administrator advised members of the emergency exits and fire evacuation procedure.

The Meetings Administrator then took a roll call and commenced the meeting with the opening prayer.

**Ukrainian
Conflict**

The Cathaoirleach referred to the ongoing conflict in Ukraine and asked members to stand for a minutes silence to show solidarity with the people and Government of Ukraine.

A minutes silence was observed.

The Cathaoirleach advised members that the Corporate Policy Group had agreed, following a lighting up request application, that local authority civic offices across Tipperary would be lit in the colours of the Ukrainian flag on the 24th day of each month, the anniversary of the date of the Russian Invasion of Ukraine, for as long as the conflict continued as a mark of support and solidarity towards the people of Ukraine. This was agreed.

N 24 Scheme

The Cathaoirleach updated members on the N. 24 Scheme and in particular the Cahir to Waterford phase. Following a collaborative effort by Tipperary County Council, the Oireachtas members and the Councils of the South East, Kilkenny County Council were now going to receive funding to allow the route selection to progress in the coming year. Cllr Murphy thanked members for their support and said it was imperative that multi annual funding was received for vital infrastructure projects.

Mr. Joe MacGrath joined the Cathaoirleach in welcoming the decision to fund the development of the N24 which was extremely important for the further development of Tipperary and the South East. The allocation to Kilkenny County Council as the lead authority on the Cahir to Waterford Scheme would allow the preferred route selection to progress and that part of the planning process to be concluded. Tipperary County Council were continuing work on the Limerick Junction to Cahir Scheme and it was hoped to see the preferred route within the next 2 months. It was important to see the entire corridor progress to improve the overall connectivity of the County to other parts of the country.

The Chief Executive acknowledged the collaborative effort of the South East Local Authorities in lobbying for funding for this scheme, the work that the Cathaoirleach had done and the members unwavering support to achieve this decision. He also thanked the Minister and T.I.I. for the favourable decision to allocate funding.

Members welcomed the announcement of funding for the Cahir to Waterford Scheme. Reference was made to the need for the full scheme to progress in view of the amount of lands sterilized on the route and the effect this was having on potential planning applicants. Reference was also made to the need to continue lobbying for both schemes to proceed to construction phase.

Cllrs J. Ryan, S. Ryan and S. Hanafin urged that Thurles ByPass would be progressed and were advised by Mr. J. MacGrath, Chief Executive, that this would be difficult in the absence of the inclusion of the Thurles ByPass in the National Development Plan (NDP) despite a number of submissions having been made. The focus of the Council would be to ensure that it is included in a future review of the NDP.

Item No. 2.1 **Disclosures/or** **Conflicts of** **Interest**

Noted, no matters were notified to the Meetings Administrator

Item 3.1 **Minutes of** **Council Meeting** **held on 14th** **January, 2022**

The Minutes of the February Meeting held on 14th February, 2022 remotely via Zoom were proposed by **Cllr. R. Kennedy** seconded by **Cllr. S. Hanafin** and adopted.

Matters Arising

Cahir Tourist Office

It was agreed to revert to Cllr Moloney regarding the responsibility for the management and maintenance of the Cahir Tourist Office, noting that the building would benefit from a painting touch up in advance of the proposed Royal Visit on 25th March, 2022.

Item 4.1 **Approval to** **Attendance**

It was proposed by **Cllr. S. Ryan** seconded by **Cllr G. Darcy** 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: -

Seminar/Conference/ Similar Event	Dates	Venue	Nominees
National Construction Summit 2022	March 3 rd 2022	Sport Ireland Campus, Blanchardstown	Cllr. J Carroll
Celtic Conferences Tourism and Digital Marketing	March 4 th - 6 th 2022	The Four Seasons Hotel, Carlingford Co. Louth	Cllr. P Bugler Cllr. K O’Meara Cllr. A Moloney Cllr. Niall Dennehy Cllr. Eddie Moran

Item 4.2 **Reports on** **Conferences**

Proposed by **Cllr. S. Ryan** and seconded by **Cllr. G. Darcy** and noted.

Item 5.1 **Consideration of** **Audit Committee** **Reports**

The Cathaoirleach welcomed Mr. Jimmy Kearns, Chair of the Audit Committee to report to the members on the Audit Committee Reports.

Mr. Kearns informed the members that he was satisfied there was a robust audit team and plan in place. Six meetings of the Committee had been held during the year. A number of presentations had been made from various Directorates to the Committee.

It was proposed by **Cllr. P. English** seconded by **Cllr J. Fitzgerald** and resolved: -

“That in accordance with the provisions of Regulation 9 of the Local Government (Audit Committee) Regulations 2014, Tipperary County Council adopt the Audit Committee Annual Work Programme 2022, the 2020 Audited Financial Statements and the Statutory Audit Report.”

Members noted the following reports circulated with the agenda.

- TCC Audit Committee Charter
- TCC Audit Committee Self Evaluation Report 2021
- TCC Audit Committee Annual Report 2021

Item 5.2

Consideration of Draft County Development Plan 2022-2028 and the Chief Executives Report

The Chief Executive's Report had been circulated to the members for consideration. The Cathaoirleach referred to the level of engagement that had taken place to date with members and the public. A total of 18 members workshops had been held and two public consultation periods. Cllr Murphy thanked the planning staff and the members for their engagement on the Draft County Development Plan.

Mr. E. Lonergan, Director of Services, outlined the planning process to date. This plan was the first County Development Plan for the County of Tipperary, it was a strategic plan for the county and a roadmap of how we develop physically, socially and economically over the next number of years. The first workshop had been held in July 2020 at which it was outlined what the process would be, the statutory requirements and the constraints imposed by the Office of the Planning Regulator (OPR) and the need for compliance and consistency with the Regional Spatial and Economic Strategy (RSES) and the National Planning Framework (NPF). The agreed approach to formulating the Plan had been communication, common sense and control by the members and executive and the aim was to have a strong and balanced County Development Plan. It was acknowledged that communication on the plan had been unprecedented and there had been a collaborative approach to finding solutions. The Plan had been heavily influenced by the public and agencies. The current plan was responsive, responsible, progressive and protective of the environment and sustainability. Mr. Lonergan said it had been a privilege to be involved in the process and thanked the forward planning team for their assistance.

Ms. Ann Marie Devaney, S.E.P., made a presentation to the members on the Core Strategy Vision for the Plan and outlined the key amendments in the Chief Executive's Report. The vision was for a vibrant place where people could live, visit and work in a competitive and resilient economy, a sustainable environment and an inclusive and active community. The plan was a significant document, prepared in the context of a new environment and set out strategic aims for future generations within the county. It also set a framework for investment, funding, job creation and an environment for people and communities with climate action and future sustainability at its heart.

Members were being requested to agree to the proposed amendments being put on public display for a further 4 weeks.

Following further discussion and consideration, it was proposed by **Cllr R. Kennedy** and seconded by **Cllr G. Darcy**

"That pursuant to the provisions of Section 12 (6) of the Planning & Development Act, 2000 (as amended) and having considered the Draft Tipperary County Development Plan 2022-2028 published on the 30th July, 2021, the Chief Executive's Report circulated to the members on the 7th January, 2022, and the amendments proposed by the members and circulated on the 4th March, 2022, the Council

hereby resolve to amend the Draft Tipperary County Development Plan 2022-2028 in accordance with the Chief Executive's Report and as further amended by the inclusion of the Members Amendments as agreed at the Plenary Meeting of Tipperary County Council on the 14th March, 2022."

In proposing the Resolution Cllr R. Kennedy welcomed the engagement process adopted during the drafting of the County Development Plan. Such engagement was not evident in previous Development Plan processes. It was his opinion that a good draft plan was being presented to the members that would benefit the people of Tipperary and he was happy to propose that the plan would go forward for further public consultation.

Cllr Darcy, said that this first County Development Plan for all the County had been a huge undertaking and the decision today was a further step in the process. He thanked the planning staff for their interaction and engagement which he agreed had been unprecedented.

Members joined in thanking the planning staff for their engagement throughout the process and being inclusive. It was a collective plan with the members stamp on it. There had been robust debate and in general members were satisfied with the current draft noting that there was more work to be done. It was acknowledged that the previous North Tipperary County Council and South Tipperary County Council had left a positive legacy

Cllr S. Morris stated that while he was not opposed to the plan going forward for public consultation, he would not be voting for the adoption of the plan. He had two main oppositions to the plan which were the eastern water supply project which he said was a disastrous project and was a threat to tourism and that the population trends contained in the plan were based on 2016 census which did not have regard to the current number of people working from home.

In response to a query by Cllr A. Moloney regarding the delisting of protected structures, members were informed that there was a mechanism for this to be done through the County Development Plan and also through legislation.

Mr. Joe Mac Grath, Chief Executive, said that the adoption of the County Development Plan was one of the most important decisions made during the lifetime of the Council and the decision made at this meeting would be a step closer to the final decision. The Chief Executive acknowledged the amount of consultation that had taken place, the input from the members and the listening and understanding of what the issues were. Solutions were found as far as possible and every effort would be made to find resolutions for future issues that may arise. The current draft was a positive statement for the future economic development of Tipperary. It set out the objectives of communities and members for the future.

Mr. MacGrath thanked the Cathaoirleach and members for the many hours that had gone into the consideration of the draft plan and thanked the previous Cathaoirleach Cllr Smith. He thanked Mr. Eamon Lonergan and the planning staff for their extraordinary professionalism. He also thanked former planning staff Mr. Brian Beck and Ms. Nuala O'Connell.

It was agreed to proceed with the publication of the Draft Plan as circulated and the members amendments as agreed.

5.3 Tipperary County Council Draft Burial Ground Byelaws

The Environment & Climate Action Section in association with the Municipal Districts had drafted County-wide Burial Ground Bye-Laws for burial grounds in the ownership of Tipperary County Council to replace existing burial grounds Bye-Laws in individual burial grounds.

The draft Bye-Laws were presented to the Environment & Climate Action Strategic Policy Committee on the 27th September 2021. Following discussions, the SPC Members agreed for the draft Bye-Laws to proceed to the full Council, for ratification to commence public consultation.

At the plenary meeting of the Council on 10th October 2021, Members gave their approval for the public consultation phase to commence. The draft Burial Ground Bye-Laws were published on Tipperary County Council's website and members of the public were invited to forward submissions, from the 1st November 2021 to 12th January 2022.

The draft Burial Ground Bye Laws with the proposed revisions following the public consultation, were presented to the Environment & Climate Action Strategic Policy Committee on the 22nd February 2022. Following discussions, the SPC Members agreed to the revisions and for the draft Burial Ground Bye -Laws to progress to the Plenary Council for ratification. The Draft Burial Ground Bye-laws and the Submissions Report had been circulated to the members.

It was proposed by Cllr S. Ryan, seconded by Cllr P. English and resolved:-

Pursuant to Part 19 of the Local Government Act 2001 and having regard to the Chief Executive's Report on the submissions to Tipperary County Council Burial Ground Byelaws 2022 as circulated to the members on the 8th March 2022, that the said Byelaws be approved and adopted without amendment by the Council. The Tipperary County Council Burial Ground Byelaws will come into effect on the date of the Resolution of this Council ie. 14th March 2022.

Cllr S. Ryan, a member of the Environment & Climate Action SPC in proposing their adoption, referred to the huge body of work that had gone in to the drafting of these Byelaws, noting that issues had been worked through.

Cllr P. English, also a member of the Environment & Climate Action SPC commended staff on the preparation of the draft Byelaws.

Members welcomed the Byelaws and acknowledged that rules pertaining to Burial Grounds were an emotive issue at what would be a difficult time for bereaved families. Members sought clarity on the enforcement of the Byelaws and the power to remove unauthorised structures.

Reference was made to a number of issues across the county pertaining to unauthorised structures that had been erected in cemeteries where byelaws were currently in force. Questions were raised in relation to the legality of pursuing these breaches of existing byelaws should the new county wide byelaws be adopted. Clarity was also sought on the number of interments per grave.

Ms. C. Curley acknowledged the input of the Chair and members of the SPC to the Byelaws. She was conscious that this was a sensitive area as burial grounds were sacred places. The object of the byelaws was to have a structured approach across the County. Work on the Byelaws had been ongoing for 18 months and Environment staff had worked closely with District Administrators and District Engineers and consulted with Monumental Sculptors.

Mr. Ruairi Boland, S.E.E. referred to the lack of regulation in cemeteries across the seven previous Town Councils and North and South Councils. Some Burial Grounds had byelaws and some did not and each brought their own legacy areas. The main issue in preparing the new Byelaws was the need for a list of approved contractors/service providers and the need for engagement with the approved contractors/service providers in regard to insurances, competency and health and safety matters. The enforcement of the Byelaws in rural cemeteries would be a matter for the Environment Section and in urban areas it would be a matter for the Municipal District. Cemetery Caretakers would have a list of approved contractors who would have to produce a permit to the Caretakers before the approved works could be carried out. Non compliance with the Byelaws could result in legal action. In the event of an unauthorised structure being erected legal action could be taken resulting in fines and the removal of the structure and the name of the contractor would be removed from the approved list. Historical issues would be dealt with on a case by case basis.

A number of members expressed their dissatisfaction that the existing unauthorised structures had been allowed to remain in place and action had not been taken. It was requested that legal advice would be sought on what action could now be taken. Concerns were also expressed about enforcement powers in the proposed byelaws. Suggestions were made about the publicity of the new Byelaws to Monumental Sculptors outside of the County.

Mr. Joe MacGrath, Chief Executive, expressed his understanding of specific issues members were dealing with on behalf of their constituents and the distress that unauthorised structures were causing adjoining family plot owners. If members required more time to consider the Byelaws, this would be arranged. He clarified that the Byelaws presented to the members would come into effect from the date of passing of the Resolution. He further clarified that in accordance with the proposed ByeLaws, Contractors would have to comply with a process before works could be carried out. If this process was disregarded, Council representatives would request that the works be stopped and an injunction could be sought in relation to the works and/or removal of the structure. The contractor would not in future be allowed into a local authority Burial Ground in Tipperary. In regard to retrospective breaches of byelaws, the legality of this would be in doubt. However due to the sensitive nature of the issue, engagement with the families concerned in an effort to find a resolution would be the preferred option.

Cllr Crosse proposed that a further review of the Byelaws would be carried out and this was seconded by Cllr M. Hanna Hourigan.

Further debate ensued on the Byelaws.

Mr. Joe MacGrath, Chief Executive, said that by adopting the Byelaws members were sending out a strong message across the County that the practice of unauthorised structures in cemeteries was being stopped. The byelaws could be reviewed at any time at the request of the members.

Following further consideration Cllr Crosse withdrew his proposal with the agreement of Cllr M. Hanna Hourigan.

The adoption of the Byelaws had been proposed by Cllr S. Ryan, seconded by Cllr P. English and agreed subject to a review of their operation after six months implementation.

Item 6.1

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

Consideration of Management Report

Community/Economic Development & Tourism

It was agreed on the proposal of the Cathaoirleach to take Item 9.5 Notice of Motion Ref: 2385 as part of the Management Report on Community/Economic Development & Tourism.

Item 9.5 Notice of Motion

It was proposed by **Cllr. Marie Murphy**, seconded by **Cllr. S. Ambrose** and resolved:

Cllr Marie Murphy (Ref. No. 2385)

That Tipperary County Council calls on the IDA to fill the post of South East Regional Director, which has been vacant since December, as a matter of urgency.

It was agreed to forward the motion to the IDA for comment/response.

Management Report – Community/Economic Development & Tourism.

Mr. Pat Slattery, Director of Services, responded to queries raised as follows:-

CCTV

Members were informed that progress was ongoing on completing the CCTV process for various communities. Joint Controller Agreements were in place and Data Assessments were almost complete. Members urged that the process would be completed as soon as possible as CCTV was a major deterrent in rural crime. It was also requested that assistance would be given where planning permission issues arose.

Beara/Breifne Way Lorrha to Portumna

Work was ongoing with Hidden Heartlands and Leader to progress the tourist potential of this amenity.

Ukrainian Refugees

Contact had been made with the Community/Economic Development Section regarding the provision of support services for Ukrainian Refugees and assistance would be provided where possible.

**Management
Report – Water
Services.**

Water Services

Mr. E Lonergan, Director of Services and Mr. D. Holland, Senior Engineer responded to queries as follows:-

Irish Water Bi-annual Workshop

Members were informed that the next bi-annual workshop with Irish Water and members was scheduled for the 7th April, 2022.

Water Account

It was agreed to contact Irish Water to seek a meeting with Cllr Hanafin and a constituent regarding an ongoing water billing issue.

Water Quality

In response to queries regarding hard water and discolouration of water, members were informed that there was not a policy for hardwater to be dealt with at source. It was clarified that surface water was not the responsibility of Irish Water.

Back Yard Services

Members were informed that the position of Irish Water remained the same in relation to back yard services and that the responsibility for these services remained with the property owner. Hardship situations were considered by Irish Water on a case by case basis.

Connection Charges

Members made reference to the high cost of connection charges being notified to some consumers. It was clarified that the Commission for Regulation of Utilities (CRU) was the economic regulator for Irish Water. In specific cases the distance between a property and main connection was a factor in the cost of the connection and applicants were urged to seek a breakdown of the cost notified to them.

WWTP Ballina

It was agreed to revert to Cllr Bugler regarding a response from Irish Water to her Notice of Motion Ref. 2150.

Roscrea Sewage Scheme

Cllr Coonan raised concerns regarding issues with the Pump Station on Birr Road and it was agreed to inform Irish Water of this.

Clonmel Town and Rural Water Supply Scheme.

An update on progress on this scheme would be sought at the forthcoming Capital Projects meeting with Irish Water in April.

**Management
Report –
Environment &
Climate Action**

Environment & Climate Action

Ms. C. Curley, Director of Services and Ms. Marion O’Neill, S.E.O., responded to queries as follows:-

Japanese Knotweed

It was clarified that the management of Japanese Knotweed on private property was overseen by the National Parks and Wildlife Service.

Household Waste Inspections.

It was confirmed that household waste inspections would resume across the five Municipal Districts.

Waste Facility Inspections

Waste Facility Inspections were carried out to ensure compliance with Licences issued.

Bottlebanks

A programme was in place for the maintenance of bottle banks sites.

Derelict Sites Levy

It was noted that Derelict Sites Levies totalling €37,756 were issued in 2021. The Council continued to work proactively with owners of properties in an effort to remove properties from the Derelict Sites Register.

Solar powered Smart Bins

The installation of solar powered smart bins was welcomed.

Dog Waste Bins

The increase in the amount of dog waste bins particularly on prominent walking routes was requested.

Road Signs/Amenity Signs

Reference was made to amenity signs in need of replacement in the Sieve Felim Area.

Scenic Areas 2022

Ms. Clare Curley, Director of Services, advised members of an anti litter campaign called "Sustaining our Scenic Areas" recently launched requesting people to be responsible in relation to litter with particular reference to scenic locations. This campaign included the erections of billboards in villages in scenic locations, promoting the protection of the Environment and the reduction of instances of litter and illegal dumping. This campaign was being run in conjunction with the Roads Department and Tidy Towns Committees.

The locations this campaign focused on were:-

- Nenagh: Lough Derg – Ballina, Terryglass, Dromineer, Birdhill
- Thurles: Devils Bit – Drom & Borrisoleigh, Keeper Hill - Cappagroe, Ballinahinch, Clare Glens – Newport.
- Clonmel : Slievenamon – Kilcash
- Tipperary/Cashel: Glen of Aherlow – Bansha. Vee – Clogheen
- Carrick on Suir: Loughdohirehile Lake Glengoole & Littleton Ballysloe. Derrynaflan Loop – near Horse and Jockey -Horse and Jockey Killusty, Cloneen, Mullinahone

Housing

It was agreed on the proposal of the Cathaoirleach to take Items 9.1 Notice of Motion Ref: 2362, Item 9.2 Notice of Motion Ref. 2373, Item 9.3 Notice of Motion Ref. 2382 and Item 9.4 Notice of Motion Ref. 2384 as part of the

Management Report on Housing. The Cathaoirleach also proposed to take item 6.2 Housing Reports with the Management Report on Housing.

Item 9.1 Notice of Motion

Cllr Michael Murphy (Ref. No. 2362)

It was proposed by **Cllr. Ml. Murphy**, seconded by **Cllr. S. Hanafin** and resolved: -

"That Tipperary County Council calls on the Minister for Housing, Local Government and Heritage to revise upwards the qualifying income bands under the Social Housing Assessment Regulations 2011 as amended. In addition that the Minister would give Local Authorities the discretion to approve applicants who exceed the qualifying income bands in exceptional cases.

The reply to the motion was noted as follows:-

"Under the current Social Housing Assessment Regulations there is no discretion afforded to Local Authorities in assessing income eligibility for Social Housing Support.

In accordance with the policy document "Housing for All" a commitment has been given by the government to review income eligibility for Social Housing and the council awaits the outcome of this review."

Members spoke in support of the motion. Following discussion on the motion Cllr Ml Murphy suggested an amendment to his motion as follows:-

Tipperary County Council calls on the Minister for Housing, Local Government and Heritage to immediately transfer Tipperary to Band 2 of the Social Housing Assessment Regulations 2011 as amended and further calls on the Minister to revise upwards all qualifying income bands under the Social Housing Assessment Regulations 2011 as amended. In addition that the Minister would give Local Authorities the discretion to approve applicants who exceed the qualifying income bands in exceptional cases.

The amendment to the motion was seconded by Cllr S. Hanafin and agreed.

It was agreed to forward the motion to the Minister for Housing, Local Government and Heritage.

Item 9.2 Notice of Motion

Cllr Michael Murphy (Ref. No. 2373)

It was proposed by **Cllr. Ml Murphy**, seconded by **Cllr. K. Bourke** and resolved:

That the Director of Housing updates the members on recent changes to the Tenant Purchase Scheme announced by Government that came into effect on the 1st February. In particular how these changes apply to Pensioners.

The reply to the motion was noted as follows:-

“The Housing (sale of local authority houses) Regulations 2021 gave effect to the following changes to the 2016 Tenant Purchase Scheme from 1st February 2022.

- Income -the minimum income required for the applicant to be eligible to apply under the scheme has been revised downwards from €15,000 to €12,500.
- Time -the period of time tenants will be required to be in receipt of social housing support to be considered under the scheme has changed from 1 to 10 years.

As of 8th March the Minister has not provided any guidance to Local Authorities on the implication or implementation of the above regulations.”

It was agreed to write to the Department for Housing, Local Government and Heritage seeking clarification in relation to the provision of guidance to Local Authorities on the implication of the Housing (Sale of Local Authority Houses) Regulations 2022 particularly in relation to pensioners.

Item 9.3 Notice of Motion

It was proposed by **Cllr. P. English**, seconded by **Cllr. S Ambrose** and resolved:

Cllr P. English (Ref. No. 2382)

That Tipperary County Council request the Minister for Housing, to review the housing assistance payments (HAP) rates. To acknowledge the current reality of the failed housing market

The reply to the motion was noted as follows:-

“It was acknowledged that the Housing Assistance Payment CAPS for Tipperary County Council were very low and this issue had been raised with the Department previously.

These rent limits when initially set, were based on the local level of rent supplement (RS) paid by the DSP. These rent levels were based on the family make up of applicants and not per property.

As the HAP scheme progressed, it was recognised that due to rental inflationary pressures, that these limits were insufficient and as a result many housing applicants had difficulty in paying both their top up to the landlord and their rent to the local authority.

Under Circular 31/2016, this was partially addressed when local authorities were empowered to agree to payments that exceeded rent limits by up to a maximum of 20% where justified and required. This took effect from 1st July 2016 which is nearly six years ago and much has changed in the intervening period with continuing rent inflation and a decrease in private rented accommodation units available for letting. Notwithstanding this, the discretionary power has been helpful in addressing some of the issues. For example, the total number of HAP tenancies set-up in 2021 was 403, of which 202 received a discretionary payment of 20%. This represents 50.3% of applicants. The discretionary payment was only to be used in

exceptional circumstance and where justified and required. It was never envisaged that it would be applied to over 50% of cases and this indicates how broken the private rented sector is.

Under the 'Housing for All' policy document a commitment has been given to review the rent limits nationally. As part of this review, the department will analyse the need to amend the level of discretion available to Local Authorities under the scheme. This analysis will consider the upward rent pressure seen in recent years in the rental market and the increased use of discretionary powers by Local Authorities to exceed HAP limits with a view to ensuring adequate levels of support continue to be provided in specific areas and for specific household types. "

The reply was noted and accepted by Cllr P. English.

Item 9.4 Notice of Motion

Cllr Mark Fitzgerald (Ref. No. 2384)

It was proposed by **Cllr. Mark Fitzgerald** , seconded by **Cllr. D. Burgess.** and resolved:

I call on Tipperary County Council to put in place protocol to provide emergency wheelchair friendly accommodation in the county for situations where persons in wheelchairs become homeless.

The reply to the motion was noted as follows:-

"Tipperary County Council was dependent on B&B type accommodation provided by hotels/B&B's when providing emergency accommodation and as such these properties were legally obliged to comply with the requirements of people using wheelchairs. In line with the new Local Disability Strategy, the council would put in place a protocol to address the needs of wheelchair users who require emergency accommodation."

Cllr M. Fitzgerald expressed his satisfaction with the reply given.

Item 6.2 Housing Reports

Own Front Door Service in Tipperary.

Mr. Sean Lonergan, A.O., Housing, made a presentation to the members on the Own Front Door Service in Tipperary.

Tipperary County Council's main source of housing support for those presenting as homeless was B&B emergency accommodation. This came with its own challenges. The key priority for the council to-date had been to identify and implement other measures to reduce the reliance on B&B accommodation and promote more positive outcomes for those presenting as homeless. To complement these, it was now proposed to enter into an agreement with an approved housing body to introduce an own front door model (OFD); a service that was currently in place in the other local authorities across the south east. The OFD model of emergency accommodation involved the allocation of units from the council's own housing stock to be used as emergency accommodation in lieu of B&B. When a service user presents as homeless, where prevention work is unsuccessful and emergency accommodation is required, they will be placed in an OFD unit. The units of accommodation are provided by

Tipperary County Council who enters into an agreement with an Approved Housing Body (AHB) to provide the property management element of the project including dealing with any anti-social behaviour issues, if any. The service user signs a licence agreement (not exceeding six months) with the AHB in respect of their tenancy and any issues with the agreement are dealt with by the AHB.

The Homeless Prevention Officer in conjunction with the HAP place-finder service, then work with clients in the accommodation to provide a care and case management service with a focus on successful exits from the service to alternative forms of accommodation (private or local authority). Service users are selected through a full assessment process to determine suitability for the project. A vulnerability index is completed with each service user to determine the level of support needs. The purpose of OFD is to reduce reliance on B&Bs as the primary method of providing emergency accommodation and to deliver a more holistic approach to homeless presentations thereby reducing the traumatic stress associated with residing in emergency accommodation.

Members were advised that the Council currently had 4 interim own front door units and approval was sought to extend the service to provide an additional six units across the county.

In response to a query, it was clarified that the service would have weekend support.

It was proposed by **Cllr D. Dunne**, seconded by **Cllr S. Hanafin** and agreed that the Own Front Door Service would be implemented in Tipperary and that an additional six county wide units would be sought.

Housing Local Strategic Plan for People with a Disability 2022-2027

The Housing Local Strategic Plan for people with a Disability 2022-2027 had been circulated to the members. Tipperary County Council was required to prepare a Local Disability Strategic Plan to cover the period 2022 to 2027. The Plan was to align with and inform the National Housing Strategy for People with a Disability (NHSPWD) and with the principles of the Convention on the Rights of Persons with Disabilities (CRPD). The preparation of the local plan would be coordinated and led by the Housing and Disability Steering Group, which was a working group of relevant service providers, including HSE, AHB's and service users chaired by the Council to oversee the delivery of disability services within the county of Tipperary.

This was noted by the members.

Review of Public Representation Communication Protocol

It was agreed to defer this item to the May Monthly Meeting of Tipperary County Council.

Adjournment

It was proposed by the Cathaoirleach that the meeting would be adjourned for 30 minutes and this was agreed.

Management Report – Housing.

Housing

In the absence of Ms. S. Carr, Director of Services, Mr. J. Cooney, S.E., Ms. C. Morrissey, S.E.O. S. Lonergan, A.O and Mr. S. Grogan, A.O. responded to queries raised.

Rent Arrears

In response to concerns expressed by Cllr S. Morris in relation to rent arrears, members were informed that Tipperary Council Council had a 97% collection rate for rent. The total amount of rent arrears at the end of 2020 was €523,000 and €563,000 at the end of 2021. The reform of the Differential Rent Scheme and the introduction of a National Differential Rent Scheme was contained in "Housing for All" but there was no implementation date notified for this.

Rental Accommodation Scheme (RAS) and Housing Assistance Payment (HAP)

Members expressed concern regarding the supply of RAS and HAP properties. It was acknowledged that there was a shortage of rental properties in the private sector but the Council were making every effort to continue with social housing delivery across all streams. It was noted that 60% of applicants on the housing waiting lists were in receipt of social housing supports.

Housing Grants

Members referred to the significant increase in building costs and the effect this was having on housing grant applicants. Following discussion it was agreed that a letter would issue to the Department of Housing, Local Government & Heritage seeking an increase in the maximum Housing Grant in view of building inflation and to seek an increase in funding levels from the Department to correspond with this.

Housing Delivery.

Members were informed that the delivery of housing through acquisitions was not currently approved by the Department in view of the increased housing construction programme and delegated sanction had been removed. There were 3 exceptions where a submission can be made on a case by case basis, homelessness, housing first and disability. The construction target for Tipperary was for 887 units to be delivered for the period 2022/2026. Tipperary County Council expects to exceed this target and has identified 1125 units in the Housing Action Plan submitted to the Department for their consideration.

Part V Planning & Development Acts

It was confirmed that residential developments of more than 5 units were obliged to enter into a Part V Agreement under the Planning and Development Act. The timeline for the delivery of Part V units was dependant on the construction programme of the development.

Repair & Leasing Scheme

It was noted that despite an increase in the maximum cost of repairs allowable there was currently a minimal take up of this scheme.

Refugees

In response to queries by members it was confirmed that currently the accommodation needs of Ukrainian Refugees was being dealt with by the International Protection Accommodation Service (IPAS). The Syrian Refugee families resident in Tipperary had completed their resettlement programme and were supported by Community Liaison Officers.

Anti-Social Behaviour

It was confirmed that cases of antisocial behaviour in local authority dwellings were pursued and legal action was taken where necessary.

7.1

Fix time of Monthly Meetings.

The Cathaoirleach advised members that the commencement time of Monthly Meetings had been discussed by the Privilege and Procedure Committee in view of the return to in person meetings and the distance members had to travel depending on the location of the meeting. The matter had further been considered by the Corporate Policy Group and the suggestion was that Monthly Meetings would commence at 11 a.m. in wintertime and 10 a.m. in summertime. Meetings held remotely would remain at 10 a.m.

This was proposed by **Cllr D. Burgess**, seconded by **Cllr. R. Kennedy** and agreed.

Item 8.1 Consideration of Orders for the period to the 28th February, 2022

Chief Executive Orders and Delegated Officers Orders for the period to the 28th February, 2022 were noted.

Item 10.1 Notice of Motion

Cllr P. English (Ref. No. 2383)

It was proposed by **Cllr. P. English**, seconded by **Cllr. R. Kennedy** and resolved:

That Tipperary County Council request the Government to abolish the Universal Social charge. The charge was introduced as a temporary levy back in 2011, in response to the financial crash.

It was agreed to forward the motion to Minister for Finance, Mr. Paschal O'Donoghue for comment/response

Correspondence

Correspondence as circulated was noted as follows:-

- Reply from Office of the Minister for Defence re Women of Honour Campaign (NOM Ref. 2358)
- Letter from the Minister of State for Transport to South East Citizens Forum re Coast Guard Helicopter Base in Waterford.
- Reply to South East Citizens Forum from Transport Infrastructure Ireland (T.I.I.) re N.24 Waterford to Cahir Project
- Reply from Office of the Minister of State re Insurance Cover for Community Festivals and Activity Centres

- Reply from Transport Infrastructure Ireland (T.I.I.) re N.24 Waterford to Cahir Project
- Reply dated 3rd March, 2022 from Moyagh Murdock, CEO, Insurance Ireland re Insurance Cover for Community Festivals and Activity Centres

Item 10.1 –

Sligo County Council

Resolutions from other Local Authorities

- Increase to Housing Adaptation Grant for people with a Disability
- Increase to Older Persons Grant Scheme

Item 11.1

Votes of Sympathy

Members passed a Vote of Sympathy to the following: -

- Michael Ryan, Traffic Warden, Roscrea on the death of his mother Elizabeth (Lilly) Ryan, Old Road, Silvermines, Co. Tipperary
- Stephanie O'Dwyer, Corporate Services, on the death of her father-in law Jim Dwyer.
- Family of Joe Fogarty, former staff member of South Tipperary County Council.
- The family of Leishe (Alice) Galvin, Coolnamuck Road, Carrick on Suir, former Branch Librarian at Carrick on Suir Library
- Nevan Phelan, Planning Section on the death of his father Richard Phelan

Votes of Congratulations

Members passed a Vote of Congratulations to the following: -


- Aisling O'Donovan, Coolmoyne, Fethard, on being chosen to represent Tipperary at the Rose of Tralee Festival.
- Clonoulty Rossmore GAA Club on winning the Munster Junior Hurling Championship.

Item 12.1
Any Other Business

The Cathaoirleach thanked Mr. Dermot Tobin I.T. for his assistance in facilitating the first hybrid meeting of Tipperary County Council.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date:

