

**Minutes of the July Monthly Meeting of Clare County Council held in the
Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on
Monday, 14th July, 2014 at 3:45 p.m.**

Present:

Councillors J. Breen, J. Flynn, P. Daly, A. Norton, M. Howard, P. Murphy,
C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, A. O'Callaghan,
C. Crowe, J. Crowe, G. Flynn, P.J. Ryan, P. McMahon, M. McKee, C. Curtin, R. Nagle, B. Slattery,
I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Tom Coughlan, Chief Executive.
- Mr. Michael McNamara, Meetings Administrator.
- Ms. Siobhan Garvey, Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Ms. Anne Haugh, Director of Service.
- Mr. Eddie Power, Senior Executive Officer.
- Ms. Caroline O'Connor, Financial Accountant.
- Ms. Helen Quinn, Senior Executive Planner.
- Mr. Gareth Ruane, Assistant Planner.
- Mr. Eugene O'Shea, A/Senior Engineer.

The Cathaoirleach, Cllr. John Crowe presided.

Votes of sympathy.

A vote of sympathy was extended to former Elected Member Bernard Hanrahan and his family on the recent death of his wife Margaret.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the Minutes of the Annual General Meeting of Clare County Council held on 6th June, 2014 be adopted and signed.”

b. Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. I. Lynch agus glacadh leis

“That the Minutes of the June Meeting of Clare County Council held on 9th June, 2014 be adopted and signed.”

Item 2: Minutes of Municipal District Meetings.

Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. G. Keating agus glacadh leis

“That the Minutes of the West Clare Municipal District A.G.M. held on the 13th June, 2014 be noted.”

Item 3: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meetings held on 25th June, 2014 as presented.

Item 4. Disposal of area of land pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000. Proposed disposal of area of land at Spanish Point Road, Miltown Malbay, Co. Clare.

Report dated 11th June, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Spanish Point Road, Miltown Malbay.

Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning and Development Act, 2000 as amended, of the disposal of property at Spanish Point Road, Miltown Malbay subject to the conditions as set out in the notice served on the members dated 11th June, 2014.”

Item 5. Disposal of area of land pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000. Proposed disposal of site, wayleave and right of way at Tullyvarraga, Shannon, Co. Clare.

Report dated 30th June, 2014 from Anne Griffin, Administrative Officer, Water Services was circulated with the agenda together with map. The report states that it is proposed to transfer a small area of land at Tullyvarraga, Shannon to the E.S.B. for the purposes of providing an E.S.B. Substation to provide a power supply to the Shannon Town Sewerage Pump Station No. 12. It is

also proposed to have a right of way and wayleave measuring 86m by 5m registered in favour of the E.S.B. There is no charge proposed, this site will be transferred to the E.S.B. in fee simple.

A number of members indicated they were not in agreement with this proposal and expressed the view that the E.S.B. should pay market value for the site in question. It was agreed to defer the proposal on this basis.

Item 6. Disposal of area of land pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000. Proposed disposal of property at Illaunmanagh, Shannon, Co. Clare.

Report dated 1st July, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with map. The report states that it is proposed to dispose of an area of land measuring 1.29 acres at Illaunmanagh, Shannon to Jim Cranwell. Planning permission subject to conditions has been granted by An Bord Pleanala for a Crematorium on these lands.

Following some discussion on this matter, a vote was called which resulted as follows:

In favour: Cllrs. J. Breen, J. Flynn, M. Howard, P. Murphy, P. Burke, J. Crowe, P.J. Ryan, P. McMahon, C. Curtin, M. Hillery, G. Keating. (11)

Against: Cllrs. P. Daly, A. Norton, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, A. O'Callaghan, C. Crowe, G. Flynn, M. McKee, R. Nagle, P.J. Kelly, B. Chambers. (14)

Abstentions: Nil.

The proposal was lost.

Item 7. Material Contravention of Ennis & Environs Development Plan 2008-2014 – P13/645 Permission for the construction of a gated entrance, driveway and carpark, chapel with ancillary reception, offices and toilets, ancillary yard area and store, crematorium unit and furnace, remembrance and memorial gardens, cemetery, waste water treatment unit, percolation area and all associated site works at Kildysert Road, Ballaghfadda, Ennis, Co. Clare.

Report dated 4th July, 2014 from Gerard Dollard, Director of Services, Planning & Enterprise Development was circulated with the agenda together with map. The report states that permission is sought for the construction of a gated entrance, driveway and carpark, chapel with ancillary reception, offices and toilets, ancillary yard area and store, crematorium unit and furnace, remembrance and memorial gardens, cemetery, waste water treatment unit, percolation area and all associated site works at Kildysert Road, Ballaghfadda, Ennis, Co. Clare.

The report goes on to provide details of the proposal, the site, details of third party observations received and details of assessments carried out on the proposals.

In conclusion the report recommends that the proposed development be granted subject to conditions which are also outlined.

G. Dollard addressed the meeting with further details on the matter and advised that 21 members would be required to vote in favour of the proposal for it to be passed. It was proposed by Cllr. P.J.

Kelly and seconded by Cllr. J. Breen and agreed to adjourn the meeting by 5 minutes so members could discuss the matter. The meeting then adjourned and following re-commencement it was proposed by Cllr. J. Cooney and seconded by Cllr. P. Murphy and agreed that the matter be deferred to a Special Council Meeting to be held on Friday 18th July 2014 at 9.30 a.m.

Item 8. Agreement pursuant to Section 85 of the Local Government Act 2001 between Limerick City and County Council and Clare County Council for the Munster Bridges Rehabilitation Contract 2014.

Report dated 27th June, 2014 from Tom Tiernan, Senior Engineer was circulated with the agenda. The report states that the National Roads Authority (N.R.A.) proposes to carry out rehabilitation works by contract on a number of bridges throughout Munster in 2014. Bridges in Cork, Limerick and Clare are to be packaged in a single contract – within this a total of 10 bridges (subject to change) in Co. Clare along the N67 and the N85 are to be incorporated in the contract. As is normal, one of the counties involved is nominated by agreement to be the lead authority. In this case, as the contracts are to be managed through the Limerick N.R.D.O., Limerick City & County Council is the nominated lead authority.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That the approval of the Council be and is hereby given to the making of an agreement under Section 85 of the Local Government Act 2001, and Section 14 of the Roads Act 1993, with Clare County Council for Limerick City & County Council to carry out the necessary design, construction work & completion of the Munster Bridges Rehabilitation Contract 2014.”

Item 9. Report from Standing Orders Sub-Committee.

Report dated 8th July, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that consequent on the enactment of the Local Government Reform Act 2014, a number of changes are required to the existing Standing Orders. The changes are outlined in the report.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That pursuant to the provisions of Section 44, Schedule 10, Article 16 of the Local Government Act, 2001, the revised Standing Orders as circulated with the Agenda be adopted for the regulation of the proceedings and business of Clare County Council. These Standing Orders are effective from 14th July, 2014.”

A number of members referred to the fact that the Council can no longer use the title of Mayor and Deputy Mayor and expressed their dis-satisfaction with same.

The following resolution was proposed by Cllr. G. Flynn, seconded by Cllrs. C. Curtin and C. Colleran Molloy and agreed by the members present.

“That Clare County Council members support the retention of Mayor and Deputy Mayor in the interest of clarity and consistency and that the Minister be requested to revoke the Local Government Reform Act 2014 to allow members to retain the title.”

Item 10. Nominations to Local Community Development Committee.

Report dated 8th July, 2014 from Gerard Dollard, Director of Services and Chief Officer was circulated with the agenda. The report states that at the June Council meeting, the Members approved the establishment of a Local Community Development Committee on the basis of a seventeen member Committee. In accordance with the guidelines and regulations covering such Committees, the composition of the Committee must comprise a maximum of eight from the local government/agencies sector and nine from the partnership company and local community interests.

The report states that in accordance with the legislation governing the set-up of the Local Community Development Committee, Mr. Dollard as Chief Officer, consulted with the Corporate Policy Group and has invited nominations from the bodies proposed to be included on the Committee.

The proposed composition of the Committee is outlined in the report.

Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. R. Nagle agus glacadh leis

“The Council resolves pursuant to Section 128C of the Local Government Reform Act 2014, that the following be appointed to the Local Community Development Committee:

Cllr. J. Flynn
Cllr. B. Chambers
Cllr. M. McKee
Tom Coughlan, Chief Executive
Gerard Dollard, Head of Local Enterprise Office (pending filling of vacancy)
Esther Connellan, Health Service Executive.
Jim Lynch, Department of Social Protection.
Aobhan Haverty, Education & Training Board
Pat Gaughran and Mike Hogan
Anna Marie O’Doherty and Sheila Considine
Maurice Harvey
Dorin Graham
Andrew Dundas
Margaret Slattery
Kevin Thompstone.”

Mr. Dollard pointed out in his report that two elected members had been nominated to both the L.C.D.C. and the C.L.D.C. and that this could give rise to a conflict of interest. He also brought this to the attention of the members during the discussion.

Item 11. Progress report on establishing a Public Participation Network (P.P.N.).

Report dated 4th July, 2014 from Gerard Dollard, Director of Service was circulated with the agenda. The report states that a new framework for public engagement and participation, to be called a Public Participation Network (P.P.N.) is to be developed within each local authority area to enable the public to take an active formal role in the policy making and oversight activities of the local authority’s areas of responsibility. This network will engage at Municipal District level and at the county/city level. The P.P.N. will be the main link through which the local authority connects

with the community, voluntary and environmental sectors without prejudice to other consultation processes.

The role of the Network is outlined in the report as well as the actions set out in the Working Group report.

The Council has been requested by the Department to immediately establish a Clare P.P.N. The Council has had a number of discussions with Clare Community Forum which the P.P.N. will ultimately replace. It is recommended that the Council would formally progress the establishment of a P.P.N. with the necessary meetings in late August/early September.

In the meantime, the Council, in conjunction with the Clare Community Forum, will be updating the register of community, voluntary, social inclusion and environmental organisations so that those wishing to participate in the electoral process for the P.P.N. are on the register of such bodies. Organisations not already on the register are asked to submit details to the Clare Community Forum by 18th July 2014.

This report was noted by all members present.

Item 12. Report on Taking in Charge of Developments.

Cllr. M. Begley wished to be excluded from the discussion on this item due to a possible conflict of interest.

Report dated 4th July, 2014 from Gerard Dollard, Director of Service was circulated with the agenda. The report outlines the challenges faced by the Council in the area of unfinished estates and estates not taken in charge by the local authority. Consultation has also to take place with Irish Water in the process of taking in charge of developments for water and waste water infrastructure.

The members attention was drawn to the letter from Irish Water circulated with the agenda outlining their position in regard to taking in charge water infrastructure on estates.

Ar moladh Cllr. C. Crowe
Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That Clare County Council in accordance with Section 11 of the Roads Act, 1993 declare the roads in the housing estates of Clonlara Village Estate (Clonley Properties), Glen Abhainn, Meelick, Keelgrove, Ballyglass, Parkroe Heights, Lackyle and Lackyle Heights, Ardnacrusha, An Creag, Lahinch, Co. Clare to be a public road.”

Item 13. Draft S.P.C. Scheme for consideration and adoption.

Report dated 8th July, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with Draft Scheme for the Strategic Policy Committees. The report states that the Draft Scheme has been considered by the Councils Corporate Policy Group. Following consideration of the Draft Scheme by the Council the Draft will be sent forward for consideration by the P.P.N. and the national stakeholder pillars. A notice will also be inserted in the local media and submissions will be invited over a month to a six week period.

Following consideration of any submissions received, the Draft Scheme will be before the members for final adoption at the September meeting.

Clause 5.0 of the Draft Scheme attached sets out the sequence of events which have to take place leading to the first meeting of each S.P.C. next October.

Following a discussion on the matter it was agreed to defer this item until the adjourned Council meeting which is to take place on Friday 18th July 2014 at 9.30 a.m.

Item 14. Local Property Tax.

Report dated 9th July, 2014 from Caroline O'Connor, Management Accountant was circulated with the agenda. The report states that under Section 20 of the Finance (Local Property Tax) Act 2012, as amended by section 5 of the Finance (Local Property Tax) Act 2013, a local authority may as a reserved function resolve to vary the basic rate of the Local Property Tax within its functional area by a maximum of +/- 15%. This power will be available to local authorities effective from 2015, as the relevant sections of the Act came into operation on 1 July 2014. The regulations set out the process a local authority must undertake in order to vary the basic rate of the Local Property Tax within its functional area.

The suggested indicative timelines for local property tax (local adjustment factor) was also outlined in the report.

It was agreed that the issues raised at Items 14, 17, 18, 19, 20 and 34 would be dealt with at Workshop to be held on Friday, 18th after adjourned meeting.

Item 15. Establishment of Audit Committee and nomination of members.

Report dated 12th July, 2014 from Tom Coughlan, Chief Executive was circulated to the members at the meeting. The report states that the 2014 Act requires that each local authority establishes an audit committee within three months of the polling day for the newly elected Council. The nomination of members was considered by the Corporate Policy Group and the following external members are recommended for appointment:

- Mr. Tom Kirby,
- Ms. Rose Hally
- A person to be nominated by the Chambers of Commerce in the county.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllr. C. Curtin agus glacadh leis

“That the Council pursuant to Section 59 of the Local Government Reform Act 2014 establish an Audit Committee.”

Ar moladh Cllr. P. Daly
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the following be appointed to the Audit Committee:

Cllr. P. Hayes, Cllr. P. Murphy, Tom Kirby, Rose Hally.”

The remaining position to be filled following consultation with Chambers of Commerce in the county.

At this point it was agreed that the agenda be varied so as to continue discussions on the headed items listed.

Item 16. Community Hedge Cutting Grant Scheme 2014.

Report dated 3rd July, 2014 from Barry Keating, A/Administrative Officer, Transportation was circulated with the agenda. The report states that Clare County Council will invite applications from “communities” or “groups” for a grant to assist in the costs associated with hedgecutting. The scheme will require such communities or groups to submit an application form detailing the landowners involved and also an accurate map outlining the local roads network which is to benefit on foot of the application.

It was agreed that this item along with item 22 on the agenda would be taken together.

A lengthy discussion ensued on this matter and the following are the amendments proposed and the outcome of the discussion in each case.

Proposed by Cllr. C. Crowe,
seconded by Cllrs. T. O’Brien and C. Collieran Molloy

Amendment No. 1.

“That the level of funding per km. of road be increased to €50.” This was referred to the S.P.C. for further consideration.

Amendment No. 2

It was agreed that the application deadline for the scheme would be November 30th with works to be carried out by the end of the following February.

Item 22. Community Hedge Cutting Grant Scheme.

Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. P. Burke agus glacadh leis

“That Clare County Council outline their hedge cutting policy for the County and give an up to date on the Community Hedge Cutting Grant Scheme.”

Eugene O’Shea, A/Senior Engineer replied as follows:

“The following is stated in the Council’s current Hedgecutting Policy (June, 2011).

“Under Section 70 of the Roads Act 1993 landowners are responsible for trees, hedgerows etc. on or inside their boundaries adjacent to public roads. The Act obliges landowners and occupiers to

take all reasonable care to ensure that such trees, hedges and other vegetation are not or could not become a danger to people using or working on a public road”.

Effectively the Council’s policy is structured around the concept that all growth emanating from any part of the roadside boundary structure or from within the land protected by same is the responsibility of the landowner. When funding was available to a greater degree a no. of years ago, the Council was in a position to take a relatively lenient stance on this but because of the current economic difficulties in the country, the same level of funding is no longer available and thus the Council’s policy regarding what it can cater for is significantly curtailed.

At present the policy is based on the concept of allocating available resources to deal with the more strategic and heavily trafficked routes on the road network – National Roads, Regional Roads, Strategic Roads linking villages with National and Regional Roads, approaches to towns and villages and, where funding is available school bus and Clare Accessible Transport routes. The remaining components of the network are effectively local roads largely depended upon by people who live adjacent to them and by adjoining landowners – therefore apart from the fact that the law requires that the vast bulk of roadside hedging along such routes is controlled by landowners, it is considered reasonable that they be expected to shoulder this responsibility.

Notwithstanding the fact that the requirements of the Wildlife Act curtail hedgecutting activities during the summer months, the main strategic routes are generally in reasonable condition from a hedge control point of view.

Hedgecutting on local roads is being carried out at various locations throughout the county by the landowners who have responsibility for same. If this can be done by some, it can be done by all. There is a need for a culture change to reflect legal and moral responsibility and to reflect the fact that public resources are no longer available to the extent that they have been in the past. Any assistance that Councillors can give in influencing this required culture change would be hugely beneficial and would, to a significant degree, negate the need for the Council to pursue landowners through legal channels – such an approach is best avoided if possible.

In respect to Community Hedge cutting Grant Scheme, this is dealt with as a separate item on agenda.”

Item 21. Unoccupied houses in West Clare Municipal District.

Ar moladh Cllr. G. Keating
Cuidithe ag Cllr. C. Curtin agus glacadh leis

“That Clare County Council report on the number of unoccupied houses in the West Clare Municipal District as of census 2011 indicating the number per electoral district given that these unoccupied houses could be utilised to regenerate our rural communities.”

Ger Dollard, Director of Services replied as follows:

“36.4% of the 20,247 dwellings that formed the new West Clare Municipal District were unoccupied in April 2011. This compares with a national unoccupied percentage of 17% and 30% for the County as a whole.

As requested, I set out a breakdown of the Electoral Districts and their respective figures ranking from highest unoccupied percentage to the lowest. The accompanying map indicates that the Electoral areas with the highest rates of unoccupied houses are mainly located along the coast, with Kilkee town and electoral area being the highest at 71%.

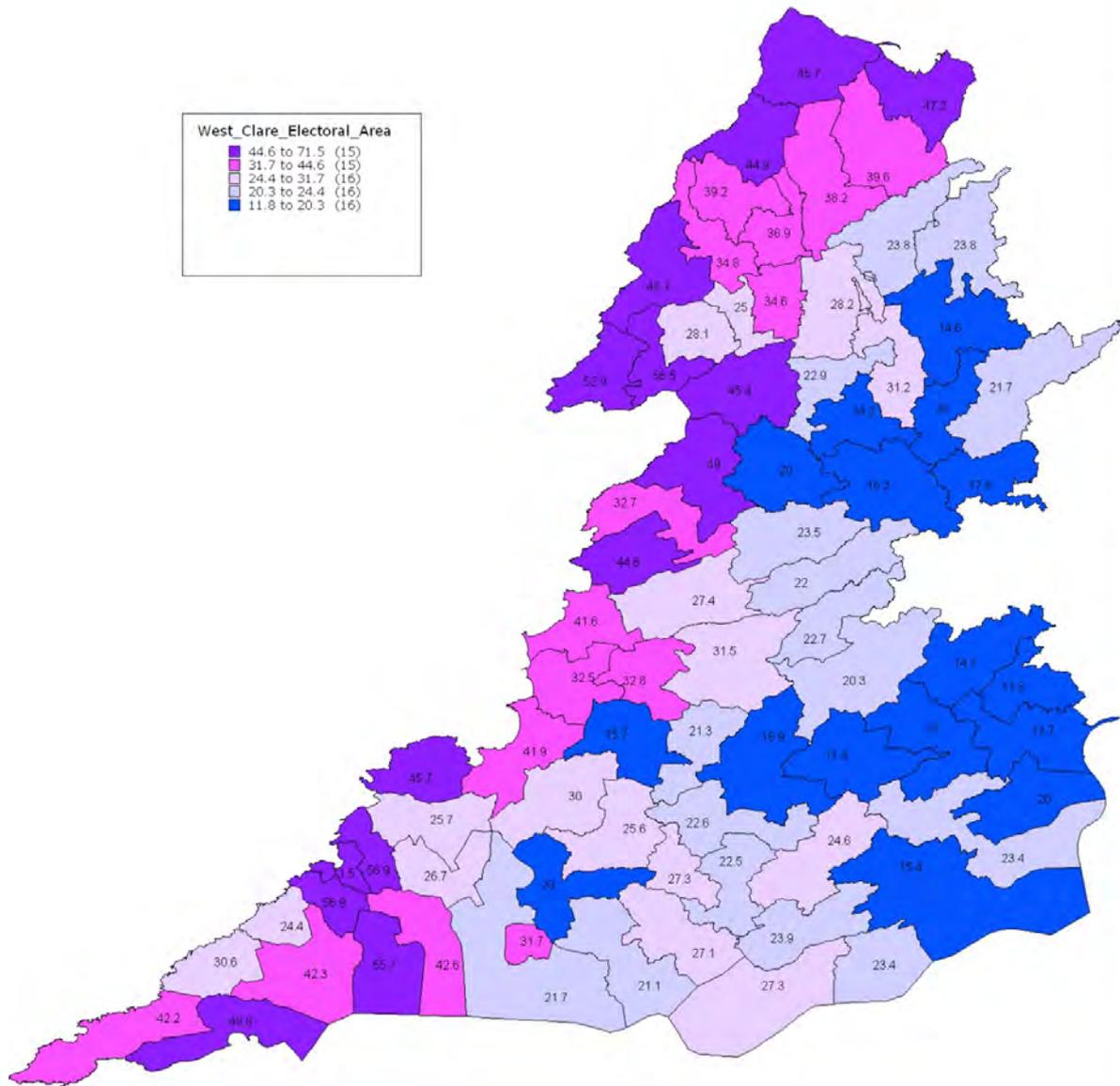
West Clare Electoral Area	Occupied	Unoccupied	Total Housing Stock	% Unoccupied
Kilkee	477	1197	1674	71.5
Kilfearagh	162	214	376	56.9
Liscannor	155	201	356	56.5
Querrin	66	83	149	55.7
Ballysteen	152	171	323	52.9
Rahona	133	132	265	49.8
Moy	248	238	486	49.0
Killilagh	221	205	426	48.1
Drumcreehy	188	168	356	47.2
Gleninagh	63	53	116	45.7
Killard	113	95	208	45.7
Ennistimon	886	737	1623	45.4
Derreen	54	44	98	44.9
Miltown Malbay	634	510	1144	44.6
St. Martin's	35	26	61	42.6
Moyarta	97	71	168	42.3
Kilballyowen	107	78	185	42.2
Doonbeg	282	203	485	41.9
Kilmurry Ibk	274	195	469	41.6
Rathborney	29	19	48	39.6
Cloghaun	79	51	130	39.2
Mountelva	34	21	55	38.2

Lisdoonvarna	243	142	385	36.9
Lurraga	92	49	141	34.8
Smithstown	53	28	81	34.6
Mullagh	88	43	131	32.8
Ballyvaskin	150	73	223	32.7
Cloonadrum	168	81	249	32.5
Kilrush Urban	1017	472	1489	31.7
Knocknaboley	115	53	168	31.5
Kiltoraght	75	34	109	31.2
Tullig	43	19	62	30.6
Drumellihy	170	73	243	30.0
Kilfenora	176	69	245	28.2
Killaspuglonane	110	43	153	28.1
Annagh	191	72	263	27.4
Killofin	133	50	183	27.3
Tullycreen	48	18	66	27.3
Knock	97	36	133	27.1
Einagh	118	43	161	26.7
Knocknagore	81	28	109	25.7
Cooraclare	192	66	258	25.6
Kilshanny	51	17	68	25.0
Kilfiddane	129	42	171	24.6
Moveen	34	11	45	24.4
Coolmeen	86	27	113	23.9
Castletown/Noughaval	77	24	101	23.8
Cloonanaha	104	32	136	23.5
Rinealon	72	22	94	23.4

Kilchreest	151	46	197	23.4
Ballagh	81	24	105	22.9
Kinturk	102	30	132	22.7
Kilmihil	253	74	327	22.6
Kilmurry Mc	107	31	138	22.5
Formoyle	78	22	100	22.0
Corrofin	486	135	621	21.7
Kilrush Rural	253	70	323	21.7
Cahermurphy W C	85	23	108	21.3
Killimer	176	47	223	21.1
Furroor	102	26	128	20.3
Ballynacally	88	22	110	20.0
Clooncoorha	136	34	170	20.0
Rath	108	27	135	20.0
Magherareagh	112	28	140	20.0
Glenmore	129	30	159	18.9
Dysert	120	26	146	17.8
Lissycasey	194	41	235	17.4
Ballyea	273	53	326	16.3
Creegh	167	31	198	15.7
Killadysert	357	65	422	15.4
Killinaboy	123	21	144	14.6
Clooney	97	16	113	14.2
Kilcloher	231	38	269	14.1
Lisheen	195	31	226	13.7
Clondegad	208	31	239	13.0
Killone	187	25	212	11.8

Total West Clare Electoral Area	13001	7426	20427	36.4
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Map: Percentage of Unoccupied Houses in the West Clare Municipal District



Item 23. Roads network.

Ar moladh Cllr. M. Hillery
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That Clare Co. Council would outline the measures they have put in place to protect the county's roads network when the transport of timber is taking place from the harvesting of the county's forests.”

Eugene O’Shea, A/Senior Engineer replied as follows:

“A much improved degree of co-operation has evolved between the Council and Coillte and other forestry companies in recent years. Situations are dealt with on a case by case basis and in general there is a recognition that large-scale haulage of timber does have a detrimental effect on local secondary and tertiary roads in particular and that there is a real cost involved from a remediation point of view. There is ongoing dialogue between Clare County Council and Coillte in respect to this issue, and as part of these discussions Coillte submitted their 5 year harvesting plan and have made payments to Clare County Council arising from same.”

Item 24. Staffing and budgetary matters.

Ar moladh Cllr. C. Curtin
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That the County Manager update the Council on the following staffing and budgetary matters arising from the newly established Municipal District Offices and Local Enterprise Office and Service Centre:-

- a. Time-frame for alignment of road engineering areas with municipal district areas and implications for delivery of the road and allied infrastructural services,
- b. Proposals for enhanced role of Council plant depots within the new configuration.
- c. Nos. of outdoor staff per each specified district.
- d. Staffing Nos. and budgetary support from Enterprise Ireland for the Local Enterprise Office

and that in this context, he arranges for the circulation to the elected members a current inventory of Council staff at management, engineering and supervisory levels outlining their location and contact details within the organisation.”

Eddie Power, Senior Executive Officer, Human Resources replied as follows:

“a) The realignment of the 5 roads engineering areas to 4 roads engineering areas to coincide with the new Municipal Districts of Shannon, Ennis, West Clare and Killaloe has been completed. An adjustment at operational level to the functional areas of S.G.S.S.’s and outdoor staff will come into effect in October 2014. The October timeframe is to facilitate the completion, without any interruption, of the 2014 Roads Work Programme.

b) As indicated in a reply to a similar notice of motion in March 2014, there are no proposals in respect of an enhanced role for Council plant depots at present. Existing depots will continue to operate as before and there is no planned change to the role of depots arising from the introduction of the Municipal District structures.

c) The following sets out the number of outdoor staff per Municipal District

Municipal District	Ennis MD	West Clare MD	Shannon MD	Killaloe MD
Number of Outdoor Staff	36	61	14	36

d) The Local Enterprise Office is operated by Clare County Council under a Service Level Agreement with Enterprise Ireland. The staffing of the L.E.O. comprises staff of the former County Enterprise Board and staff of Clare County Council. In the case of County Clare, only one staff member transferred from the Clare County Enterprise Board to the L.E.O. The requirement to provide the additional staff resources falls on the local authority and the cost of providing these resources is also required to be met by the local authority. The Council has assigned a Staff Officer on a permanent basis to the L.E.O. and an Administrative Officer on a part time basis to the L.E.O. This has allowed the L.E.O. to be established and to operate effectively to date. However, the Council is concerned that the full delivery of the L.E.O. is being restricted by the lack of an adequate staff structure and skills in the area of enterprise and business development. The Council has sought Departmental approval to filling the following positions:

- Head of the Local Enterprise Office
- Senior Enterprise Development Officer
- Business Advisor

The filling of the above positions would provide the staff complement approved for the Local Enterprise Office. Approval from the Department is awaited.

The information requested in relation to the details of staff at management, engineering and supervisory levels in the Council is currently being compiled and will be circulated to members in due course.”

Item 25. Special Olympic Games 2014.

Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. M. Howard agus glacadh leis

“I am requesting that there would be a reception held for all the athletes from Clare that took part in the Special Olympics.”

Items 25 and 26 were taken together and it was agreed that a Reception will be arranged in the Autumn for all Clare participants.

Item 26. Special Olympic Games 2014.

Ar moladh Cllr. M. Howard
Cuidithe ag Cllr. P. Burke agus glacadh leis

“That Clare County Council ensure that an appropriate reception be accorded to the Clare Athletes who participated in the recent Special Olympic Games 2014.”

Item 27. Health Service Executive.

Ar moladh Cllr. J. Breen
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the C.E.O. of the H.S.E. be invited to the September meeting of the Council to answer the following questions:

- a. Give an update of the roll out of the health services in Clare
- b. How many premises has the H.S.E. rented in Clare giving the locations and cost.”

Item 28. An Post.

In the absence of Cllr. B. Chambers it was agreed that this item would be deferred.

Item 29. An Post.

Ar moladh Cllr. C. Crowe
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“To ask the Chairman of An Post, Mr. Christoph Meuller, for -

- (i) A detailed overview of the An Post strategy for rural post offices.
- (ii) A explanation as to why profitable and viable post offices are being subjected to operational reviews by An Post.”

Item 30. Shannon Region.

Ar moladh Cllr. P. McMahon
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“I will ask the Council to request the Minister for Transport to ensure that all monies accruing to Shannon Development from properties in Shannon be ploughed into the Shannon Region including the Airport.”

The Chief Executive pointed out that monies derived from Shannon Development property portfolio could be required for improvements to the free zone and such funds would remain within the Shannon Group.

The following resolution was proposed by Cllr. J. Flynn, seconded by Cllr. M. Howard.

“That Clare County Council request Shannon Group utilise rental income in its subsidiary Shannon Development Co. to improve access and maintenance of its subsidiaries properties at Ennis (e.g. construct roundabout to Information Age Park in Ennis) Shannon and other locations in Clare.”

Item 31. Embargo on employment of local authority workers.

Ar moladh Cllr. P.J. Ryan
Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That this council would request the relevant minister to lift the embargo on the employment of local authority workers as this becomes very relevant with the increase in size of local areas.”

Item 32. Group Water Schemes.

It was agreed to defer this item to the adjourned Council meeting scheduled to take place on Friday 18th July, 2014 at 9.30 a.m.

Item 33. Local Government Reform Act 2014.

It was agreed to defer this item to the adjourned Council meeting scheduled to take place on Friday 18th July 2014 at 9.30 a.m.

Item 34. Income from property tax.

This item is to be dealt with at Workshop arranged for Friday, 18th July after adjourned meeting.

Item 35. Comhfhreagras.

Correspondence.

The following correspondence was circulated at the meeting:

- Circular Ref: LG 20/2014 in relation to the Local Government Reform Act 2014 – further clarification on certain matters.

The following correspondence was circulated with the agenda:

1. Correspondence dated 30th June, 2014 from the Office of the Minister for Health concerning University Hospital Limerick.
2. Correspondence dated 3rd June, 2014 from U.L. Hospitals in relation to the A. & E. Department in Ennis.
3. Correspondence dated 11th June, 2014 from the Office of the Minister for Transport and Sport in connection with regional and local road grant allocations.
4. Correspondence dated 13th June, 2014 from the Department of Justice and Equality concerning burglaries in rural and urban communities by mobile criminals.
5. Correspondence dated 16th June, 2014 from the O.P.W. in relation to damage to Clare coastline following the January and February storms.
6. Correspondence dated 16th June, 2014 from the Department of Environment, Community and Local Government in connection with funding for storm damage to coastline.
7. Correspondence dated 16th June, 2014 from the Department of Health concerning a purpose built A. & E. Unit at University Hospital, Limerick.
8. Correspondence dated 16th June, 2014 from the Department of Health concerning discretionary medical cards.
9. Correspondence dated 23rd June, 2014 from the Department of Transport and Sport concerning convicted criminals and driving licences.
10. Correspondence from RehabGroup in relation to Nominations for the 2013 People of the Year Awards.
11. Benedict Kiely Literary Weekend 2014 taking place in Strule Arts Centre, Town Hall Square, Omagh on 12th – 14th September, 2014.
12. La Touche Legacy Greystones Seminar taking place on 26th – 28th September, 2014.
13. Correspondence from Sabina O'Donnell, Secretariat, Oireachtas All Party Consultation Group on Commemorations.
14. Douglas Hyde Conference entitled "The Unsaved Harvest: Rural Ireland's Cultural Heritage" taking place in the B.M.W. Conference Room, The Square, Ballaghaderreen, Co. Roscommon on 18th July, 2014.

Conferences.

Reports on Seminars/Conferences attended.

With regard to seminars/conferences attended, reports completed in accordance with Section 142 of the Local Government Act 2001 were made available at the meeting.

Public Presentation and PR Management Seminar being held in the Celtic Ross Hotel, Rosscarbery, West Cork on 3rd – 5th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €75.59 including conference fee of €100.

It was agreed that Cllr. M. Begley attend this Conference.

Employment Law Mediation –v- Litigation Seminar being held in the Celtic Ross Hotel, Rosscarbery, West Cork on 10th – 12th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €75.59 including conference fee of €100.

It was agreed that Cllr. M. Begley attend this Conference.

Training Seminar entitled “Credit Unions and the rules governing them” being held in Bewleys Hotel, Newlands Cross, Naas Road, Dublin 22 on 17th – 19th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €600.95 including conference fee of €95.

It was agreed that Cllr. M. Begley attend this Conference.

Conference entitled “1848 Tricolour Celebration” taking place in The Mall, Waterford on 7th March, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €34.45.

It was agreed that Cllr. T. Mulqueen attend this Conference.

Irish Public Bodies Annual General Meeting taking place in the Convention Centre, Dublin 1.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €21.58.

It was agreed that Cllr. T. Mulqueen attend this Conference.

Parnell Summer School taking place in Rathdrum, Co. Wicklow on 10th – 11th August, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €60.70 including conference fee of €65 (daily rate conference fee).

It was agreed that Cllr. C. Curtin attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Méara

Date: _____

Minutes of the adjourned July Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Friday, 18th July, 2014 at 9:30 a.m.

Present:

Councillors J. Breen, J. Flynn, P. Daly, A. Norton, T. McNamara, M. Howard, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, A. O'Callaghan, C. Crowe, J. Crowe, G. Flynn, P.J. Ryan, M. McKee, C. Curtin, R. Nagle, B. Slattery, I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Tom Coughlan, Chief Executive.
- Mr. Michael McNamara, Meetings Administrator.
- Ms. Siobhan Garvey, Staff Officer.
- Ms. Anne Haugh, Director of Service.
- Ms. Caroline O'Connor, Financial Accountant.
- Ms. Helen Quinn, Senior Executive Planner.
- Mr. Tony McNamara, Senior Executive Engineer.

The Cathaoirleach, Cllr. John Crowe presided.

Item 7. Material Contravention of Ennis & Environs Development Plan 2008-2014 – P13/645 Permission for the construction of a gated entrance, driveway and carpark, chapel with ancillary reception, offices and toilets, ancillary yard area and store, crematorium unit and furnace, remembrance and memorial gardens, cemetery, waste water treatment unit, percolation area and all associated site works at Kildysert Road, Ballaghfadda, Ennis, Co. Clare.

Report dated 4th July, 2014 from Gerard Dollard, Director of Services, Planning & Enterprise Development was circulated with the agenda together with map. The report states that permission is sought for the construction of a gated entrance, driveway and carpark, chapel with ancillary reception, offices and toilets, ancillary yard area and store, crematorium unit and furnace, remembrance and memorial gardens, cemetery, waste water treatment unit, percolation area and all associated site works at Kildysert Road, Ballaghfadda, Ennis, Co. Clare.

The report goes on to provide details of the proposal, the site, details of third party observations received and details of assessments carried out on the proposals.

In conclusion the report recommends that the proposed development be granted subject to conditions which are also outlined.

The Chief Executive advised the members that they must restrict themselves to considering the proper planning and development of the area in making their decision in this case.

Queries were raised by a number of members and were responded to by Helen Quinn, Senior Executive Planner and Tom Coughlan, Chief Executive.

Following discussion it was proposed by Cllr. T. McNamara and seconded by Cllr. A. Norton that the matter be put to a vote of the members present.

The Cathaoirleach called a vote which resulted as follows:

In favour: Cllrs. P. Daly, A. Norton, T. McNamara, M. Howard, C. Colleran Molloy, C. Crowe, G. Flynn, M. McKee, C. Curtin, I. Lynch, B. Chambers. (11)

Against: Cllrs. J. Breen, J. Flynn, P. Murphy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, A. O'Callaghan, J. Crowe, P.J. Ryan, R. Nagle, B. Slattery, M. Hillery, P.J. Kelly. (15)

Abstentions: Nil.

The Cathaoirleach declared the proposal lost.

Item 5. Disposal of area of land pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000. Proposed disposal of site, wayleave and right of way at Tullyvarraga, Shannon, Co. Clare.

Report dated 30th June, 2014 from Anne Griffin, Administrative Officer, Water Services was circulated with the agenda together with map. The report states that it is proposed to transfer a small area of land at Tullyvarraga, Shannon to the E.S.B. for the purposes of providing an E.S.B. Substation to provide a power supply to the Shannon Town Sewerage Pump Station No. 12. It is also proposed to have a right of way and wayleave measuring 86m by 5m registered in favour of the E.S.B. There is no charge proposed, this site will be transferred to the E.S.B. in fee simple.

It had been agreed at the July monthly meeting to defer this item. Cllr. C. Crowe advised the meeting that Council Officials had since then met with the Municipal District members and provided background information in relation to this proposal. The members had been made aware of the urgency of the proposal in the context of works being undertaken in Shannon. The Municipal District members were now satisfied for the proposal to go ahead.

Ar moladh ag Cllr. C. Crowe
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That Notice having been served pursuant to Section 183 of the Local Government Act 2001, Clare County Council approves, pursuant to the powers vested in it at Section 211 of the Planning & Development Act 2000, of the disposal of lands situated at Tullyvarraga, Shannon and Wayleave and Right of Way to the E.S.B. as set out in Notice served on the Members dated 30th June 2014.”

It was agreed by all members that a condition be placed on the sale that in the event of the E.S.B. being privatised in the future that the Council would be recompensed for the piece of land at the market value at that time.

Item 13. Draft S.P.C. Scheme for consideration and adoption.

Report dated 8th July, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with Draft Scheme for the Strategic Policy Committees. The report states that the Draft Scheme has been considered by the Councils Corporate Policy Group. Following consideration of the Draft Scheme by the Council the Draft will be sent forward for consideration by the P.P.N. and the national stakeholder pillars. A notice will also be inserted in the local media and submissions will be invited over a month to a six week period.

Cllr. G. Flynn proposed that the S.P.C. under the heading of Cultural Services, The Arts would also incorporate Community Recreation and Amenity. This was agreed by all present.

Following consideration of any submissions received, the Draft Scheme will be before the members for final adoption at the September meeting.

Clause 5.0 of the Draft Scheme attached sets out the sequence of events which have to take place leading to the first meeting of each S.P.C. next October.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Council agrees the Draft S.P.C. Scheme as circulated subject to the inclusion of Community, Recreation & Amenity with Cultural Services.”

Item 14. Local Property Tax.

Report dated 9th July, 2014 from Caroline O’Connor, Management Accountant was circulated with the agenda. The report states that under Section 20 of the Finance (Local Property Tax) Act 2012, as amended by section 5 of the Finance (Local Property Tax) Act 2013, a local authority may as a reserved function resolve to vary the basic rate of the Local Property Tax within its functional area by a maximum of +/- 15%. This power will be available to local authorities effective from 2015, as the relevant sections of the Act came into operation on 1 July 2014. The regulations set out the process a local authority must undertake in order to vary the basic rate of the Local Property Tax within its functional area.

The suggested indicative timelines for local property tax (local adjustment factor) were also outlined in the report.

Item 17. Local Property Tax.

Curtha faoi bhráid na Comhairle ag Cllr. M. McKee

“That Clare County Council agrees in principle, to reduce the Property Tax by the maximum allowable by law, which is 15%, at the next budget meeting of the said Council.”

Caroline O'Connor, Management Accountant replied as follows:

“Statutory Instrument No. 296 of 2014 sets out the regulations that apply to the Local Property Tax - Local Adjustment Factor.

Part 4 Section 8 (4) of the regulations state that a local authority shall not set a local adjustment factor except in accordance with the regulations.

The regulations specify that a public consultation process takes place before the council decides not to vary the rate or to set a local adjustment factor. The regulations also specify certain matters to which a local authority shall have regard in considering a local adjustment factor, including the financial position of the authority and the potential impact on liable persons and service delivery plans. Thus until the process set out in the regulations is completed it is premature to make any decision at this stage in relation to the local adjustment factor.”

Item 18. Local Property Tax.

Curtha faoi bhráid na Comhairle ag Cllrs. C. Crowe, C. Colleran Molloy agus B. Chambers

"That this Council holds a special workshop meeting to discuss options for lowering the Local Property Tax in advance of the 2015 Budget meeting"

Item 19. Rates.

Curtha faoi bhráid na Comhairle ag Cllr. G. Flynn

“That Clare County Council begin the process of rates harmonisation within the county immediately. The current county rate of 72.99 is creating an unfair system of rates calculation outside of the towns of Kilrush and Ennis and businesses cannot continue to operate within the county unless a fairer system of rates are introduced throughout the county.”

Item 20. Commercial rates.

Curtha faoi bhráid na Comhairle ag Cllr. P. Murphy

“I am requesting that Clare County Council management harmonise commercial rates (A.V.R.) countywide to the lower rate of circa €64.”

Caroline O'Connor, Management Accountant replied as follows:

“The Local Government Reform Act 2014 (the Act) provides that there will be one rating authority for the county. The setting of the rate (Annual Rate on Valuation (A.R.V.)) for the county is a reserved function of the elected members of the county council and will be dealt with as part of the budgetary process for each coming year.

Section 29 of the Act provides for the harmonisation of commercial rates between former town council rating authorities and the new restructured county. The legislation provides that the harmonisation of rates may take place over a number of years, to a maximum of 10 years. An adjustment mechanism is provided to phase in increases and decreases which will be known as the Base Year Adjustment (B.Y.A.) process.

The legislation provides that ratepayers will pay no more or no less in rates in 2015 than they did in 2014. The A.R.V. that the Council adopts in 2015 cannot be increased until the B.Y.A. that may apply in each former rating authority area has been eliminated.

The decision on the new A.R.V. and the amount of B.Y.A. to be applied each year is a decision for the elected members of the county council as a reserved function.”

As agreed at the July monthly meeting items 14, 17, 18, 19 and 20 were being dealt with at Workshop and briefing being held at the conclusion of this meeting.

Item 28. An Post.

Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“That Clare County Council calls on the Minister for Social Protection not to proceed with changes to the new Social Welfare and Pensions Bill, in which it is proposed to remove An Post as the designated payment services provider for Social Welfare Benefits. Under the proposal the term "An Post" is to be substituted for Payment Services provider, raising fears about the viability of the An Post Network.”

Item 32. Group Water Schemes.

Ar moladh Cllr. P.J. Kelly
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That Clare County Council calls on Irish Water to take over and maintain all Group Water Schemes which are supplied by Irish Water within the County.”

Item 33. Local Government Reform Act 2014.

Ar moladh Cllr. P.J. Kelly
Cuidithe ag Cllrs. M. Hillery agus P. Daly agus glacadh leis

“That Clare County Council calls on the Government to revoke, in the interests of the common good, all the provisions of the Local Government Reform Act 2014.”

Item 34. Income from property tax.

Ar moladh Cllr. R. Nagle
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Council calls on the Minister for Environment to ensure that Clare County Council is allowed retain the full 80% of the income from the property tax collected in the county and that other government grants are retained at the levels received in recent years.”

Item 35. Comhfhreagras.

Cllr. C. Crowe advised the meeting that there would be a gathering of people in solidarity for those affected by the unrest in Israel at 12 p.m. in O’Connell St. Ennis today and asked that the event be supported where possible.

Community Hedge Cutting Grant Scheme 2014.

Cllr. J. Cooney referred to this matter which was discussed at the July monthly meeting and wished to clarify that the resolution which was adopted would need to be amended in light of the fact that the S.P.C. would not be meeting until November and this scheme needed to be advertised before then. Therefore, it would not be possible without the approval of the S.P.C. to raise the grant amount to €50. It was agreed by all present that the scheme be advertised as soon as possible with a grant of €25 per km with a deadline of the 30th November but that it will be brought to the S.P.C. at their next meeting that amendments as suggested at earlier meeting be considered.

Establishment of Audit Committee and nomination of members.

T. Coughlan, Chief Executive advised the meeting that as agreed a nominee of Ennis Chamber of Commerce would be invited to join the Audit Committee and it had just been confirmed to him that the Chamber’s nominee was Austin Slattery of Slattery & Co. Accountants. This nomination was agreed by all members present.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Méara

Date: _____

Minutes of Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Tuesday, 5th August, 2014 at 12 noon.

Present:

Councillors J. Breen, J. Flynn, P. Daly, A. Norton, T. McNamara, M. Howard, C. Collieran Molloy, J. Cooney, P. Hayes, T. O'Brien, P. Burke, A. O'Callaghan, J. Crowe, G. Flynn, P.J. Ryan, P. McMahan, C. Curtin, R. Nagle, B. Slattery, I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Tom Coughlan, Chief Executive.
- Mr. Kieran O'Donnell, A./Meetings Administrator.
- Ms. Margaret McInerney, Assistant Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Mr. Tom Tiernan, Senior Engineer.

Apologies: Cllr. P. Murphy.

The Cathaoirleach, Cllr. John Crowe presided.

At the outset, the Cathaoirleach advised the members that he had called this special meeting on foot of the following request that he had received from Cllrs. R. Nagle, M. Hillery, B. Chambers, T. McNamara, C. Collieran Molloy, P. Daly, T. O'Brien, A. O'Callaghan, P. Hayes, P.J. Kelly.

“We the undersigned request you as Cathaoirleach of Clare County Council to convene a special meeting of Clare County Council to urgently address the O.P.W. response of 21st July 2014 regarding Coastal Protection Works at Clohaninchy, Quilty, Co. Clare.”

The Cathaoirleach invited the members, that had requested the meeting, to address the meeting and the members highlighted issues in relation to funding being allocated for repairs caused by storm damage during December – January last. The issues highlighted were as follows:

- It was long overdue that the Council gets definitive decisions from Government in relation to funding. There was a need to send a clear message to the Government that we need decisions and answers.
- Nothing appears to have happened since the allocation in late February – no decisions have been made to allow Clare County Council to go ahead and do the necessary works.
- Need for greater co-ordination of funding from various Government Departments.
- 36 Communities affected by lack of leadership and decision making at national level. €12m. requested in additional funding and a decision is needed on this urgently.
- Programme of works needs to be put in place, but cannot be done pending clarity on funding.
- Tourism in the county is affected.

- There are up to fifteen houses in Clohaninchy under siege and living in fear of next winter.
- Issue has been highlighted at every Council meeting, area meeting and municipal district meeting since the beginning of the year.
- Multi-annual programme of funding is needed.

Tom Coughlan, Chief Executive addressed the meeting and responded to issues raised by the elected members. Mr. Coughlan gave a comprehensive chronological order of submissions made and correspondence with the O.P.W. and Department of Environment, Community and Local Government in relation to funding requests. He stated that the Council has done everything possible to try and resolve the issues referred to. He informed the meeting that the recruitment process has concluded in relation to appointing a Temporary Senior Executive Engineer for the Storm Remediation Project. He stated that approximately €1m. has been recouped at this stage and the Council has spent more than that amount and that the Council will continue works on an ongoing basis. Mr. Coughlan stated that the funding applied for to date comes under two headings namely a) new work and strengthening coastal defences and also b) repair and restoration. Works at Clohaninchy fall under the new work and strengthening coastal defences category.

Mr. Coughlan stated that an action plan is needed but it is difficult to prepare an action plan when the Council doesn't know how much money is available. He advised that there are two ways in which the Council can proceed. The Council can wait and hope that there is more funding made available and that a decision is made by the O.P.W. in relation to the €12.1 m. under the new work and strengthening coastal defences and the Council can then prepare a comprehensive programme of works to protect the coast and the county or the Council can start prioritising the work that has to be done on the basis that we know how much money we need and we know how much funding we have.

R.T.E. Recording of meeting.

At this stage, it was agreed that an R.T.E. camera crew which was present at the meeting had permission to take a picture recording of the meeting in progress.

Tom Tiernan, Senior Engineer referred to work being done by I.F.A. Engineers in preparing a submission for funding also. He stated that Clare County Council will work with the I.F.A. on this issue.

Correspondence received from the O.P.W.

Tom Coughlan, Chief Executive informed the meeting that he had just received an e-mail from the O.P.W. stating that the O.P.W. is prepared to consider an application from Clare County Council for funding under the Minor Works and Coastal Protection Scheme to undertake a study of the feasibility of a coastal protection scheme at Clohaninchy. The e-mail also states that given the very substantial amount of funding as estimated by Clare County Council, that would be required to undertake the scheme at Clohaninchy, a detailed study will be required examining all the options for addressing coastal erosion/protection at this location, including a preliminary environmental assessment and economic cost benefit assessment.

This news was welcomed by the members present.

Cllr. R. Nagle asked if a submission could be made in relation to Clahane in Liscannor as six houses were marooned there on three occasions last winter.

Cllr. C. Curtin asked about the status of Pumphouse No. 1 in Quilty.

Tom Tiernan, Senior Engineer addressed the meeting and stated that Clare County Council have been allocated €16.8m. and that there is a difference of €1m. between funding received and funding requested. He stated that it is very difficult to proceed with a programme of works when there is a vacuum to the extent of €1m. He stated that the Council need to get an answer in relation to funding quickly if we are to deal with this in the most effective way possible. If we decide that we have €16.8m. but we don't know how much more we are going to get, then we will have no option but to prioritise. It is very difficult to plan and implement when we don't know what the bottom line is. In response to Cllr. Nagles query in relation to Liscannor, Mr. Tiernan stated that to break the requirement down into a number of sub-components from one site to the next would prove to be unmanageable. The Council needs an overall programme.

Mr. Tiernan stated that €3m. has already been spent and this includes the clean up at resorts as the county depends on tourism. He stated that we have gone ahead and done some of the work and there are more works we can do. The Council is getting to a point where we need to know the bottom line so that the best strategic decisions can be made.

T. Coughlan advised that the Council would consider the needs of the community in Clahane and all other communities affected by the storms, in a structured manner with a view towards obtaining the necessary funding to carry out the required works.

The following resolution was proposed by Cllr. M. Hillery, seconded by Cllrs. P. Hayes, B. Chambers, P.J. Kelly, T. O'Brien, P. McMahon, R. Nagle, T. McNamara, A. O'Callaghan, C. Collieran Molloy and P. Daly and agreed by the members present.

“That this Council expresses its total frustration at the inaction by Government in not responding to all submissions for funding to date thereby allowing valuable time to be lost in putting in place appropriate defences for next winter.

Now calls on the Government to:

- immediately respond to the application for emergency funding submitted on February 10th, 2014 to repair the damage caused during the second wave of storms in early February 2014.
- immediately respond to the submission by the Department of Environment to the O.P.W. regarding the application by Clare County Council for €12m. to develop new flood defence infrastructure to protect homes affected by the 2013/2014 storms.”

The meeting concluded at 2:00 p.m.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Méara

Date: _____