

**Minutes of the September Monthly Meeting of Clare County Council held in the  
Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on  
Monday, 8<sup>th</sup> September, 2014 at 3:45 p.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, 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. Siobhán Garvey, Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Tom Tiernan, Senior Engineer.
- Mr. Sean Ward, Senior Engineer.
- Ms. Caroline O'Connor, Management Accountant.

In the absence of the Cathaoirleach, Cllr. John Crowe who was representing the Council at the National Tidy Towns Awards in Dublin, Cllr. Tony O'Brien, Leas Cathaoirleach, presided.

**Item 1: Minutes of Council Meetings.**

a. Ar moladh Cllr. B. Chambers  
Cuidithe ag Cllr. T. McNamara agus glacadh leis

“That the Minutes of the July Meeting of Clare County Council held on 14<sup>th</sup> July, 2014 be adopted and signed.”

b. Ar moladh Cllr. B. Chambers  
Cuidithe ag Cllr. R. Nagle agus glacadh leis

“That the Minutes of the adjourned July Meeting of Clare County Council held on 18<sup>th</sup> July, 2014 be adopted and signed.”

c. Ar moladh Cllr. R. Nagle  
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 5<sup>th</sup> August, 2014 be adopted and signed.”

**Item 2: Minutes of the Electoral Area Meetings.**

a. Ar moladh Cllr. B. Chambers  
Cuidithe ag Cllr. R. Nagle agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 8<sup>th</sup> July, 2014 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 10<sup>th</sup> June, 2014 be noted.”

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

“That the Minutes of the Killaloe Municipal District Meeting held on the 11<sup>th</sup> June, 2014 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 12<sup>th</sup> June, 2014 be noted.”

**Item 3: Minutes of the Corporate Policy Group Meetings.**

The members noted the minutes of the meeting held on 7<sup>th</sup> July, 2014 as presented.

**Item 4: Disposal of property pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000. Proposed disposal of area of property at 16 Carraig Lia, Shannon, Co. Clare.**

Report dated 27<sup>th</sup> August, 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 adjacent to house at No. 16 Carraig Lia, Shannon. The previous owner of the house have been in possession of the area in question for many years and this is evidenced by the mature hedges which surround the area in question on the ground.

Ar moladh Cllr. G. Flynn  
Cuidithe ag Cllr. P.J. Ryan 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 & Development Act, 2000 as amended, of the disposal of property at Carraig Lia, Shannon subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> August, 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 property 12 Connolly Villas, Ennis, Co. Clare.**

Report dated 22<sup>nd</sup> August, 2014 from Catherine O’Hara, Administrative Officer, Ennis Municipal District was circulated with the agenda together with map. The report states that it is proposed to dispose of the area of land adjacent to dwelling located at No. 12 Connolly Villas, Ennis. The sale of this land is in order to rectify a mapping error in relation to the registration of 12 Connolly Villas, Ennis which has resulted in this piece of land remaining on the Ennis Town Council, now Clare County Council folio.

It would appear that this plot of land has been part of the property known as No. 12 Connolly Villas for the lifetime of that property and the error in registration may have resulted in a mapping error.

Ar moladh Cllr. P. Daly  
Cuidithe ag Cllr. T. McNamara 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 & Development Act, 2000 as amended, of the disposal of property at Connolly Villas, Ennis subject to the conditions as set out in the notice served on the members dated 22<sup>nd</sup> August, 2014.”

**Item 6: Local Property Tax – Consideration by elected members.**

It was agreed that Items 23 & 24 would be taken in conjunction with this headed item.

**Item 23: Property tax.**

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. R. Nagle

“That Clare County Council hereby take a decision to reduce the property tax in the area of its administration by 15% as councils have been given the power to vary this tax by up to 15% under the legislation”.

**Item 24: Property tax.**

Ar moladh Cllr. R. Nagle  
Cuidithe ag Cllr. P. Daly

“I am calling on Clare County Council to reduce the property tax by the maximum 15% in 2015 allowed under the current legislation”.

A number of members spoke on this matter and outlined their desire to reduce the property tax liability in Clare by the full 15%. A number of members also outlined their concerns that portion of the tax collected in Clare will be used to subsidise other counties.

The Head of Finance circulated a report to the members and detailed that as part of the consideration process on the Local Property Tax, certain information on matters to which the Local Authority is to have regard has to be provided to members not less than three days before the meeting where the members consider the variation to the Local Property Tax. As this information was not currently available to the members, it was proposed to have an adjourned meeting later in the month to give full consideration to the variation of the Local Property Tax rate.

The Chief Executive also re-iterated that a decision could not be made today and confirmed that it was intended to convene a Special Meeting later in the month to give full consideration to any Local Property Tax variations when all the necessary information is available.

**Item 7: Nominate five members to Western Inter County Railway Committee.**

Correspondence dated 13<sup>th</sup> August, 2014 from the Western Inter County Railway Committee was circulated with the agenda. The correspondence states that five members from Clare County Council are invited to sit on the new Western Inter County Railway Committee.

1. Cllr. J. Breen

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

2. Cllr. P. Hayes

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

3. Cllr. P.J. Kelly

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. B. Chambers agus glacadh leis

4. Cllr. J. Crowe

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

5. Cllr. P. Murphy

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

**Item 8:           Audit Committee Annual Report 2013-May 2014.**

The 2013 Audit Committee Annual Report was circulated with the agenda. The report states that Section 122 of the Local Government Act 2001 and Section 5 of the Local Government (Business Improvement Districts) Act 2006 provided for the establishment of Audit Committees in Local Authorities. This was implemented following Department of Environment, Heritage and Local Government Circular 11/2007 and subsequent regulations. The Audit Committee formed in Clare County Council complies with these regulations in its structure and operation.

The report outlines details of the Audit Committee under the following headings:

- Functions of the Audit Committee
- Membership of the Committee
- Role and Responsibility of Internal Audit
- Detailed Matters Considered in 2013

The members noted this item as presented.

Cllr. P. Murphy stated that at the July monthly meeting he was nominated to the new Audit Committee in error and it was intended that Cllr. G. Keating would be that groups nominee. Cllr. Keatings nomination was proposed by Cllr. J. Cooney, seconded by Cllr. P. Murphy and agreed.

**Item 9:           Financial Report for half year to 30<sup>th</sup> June, 2014.**

Financial Report for half year to 30<sup>th</sup> June, 2014 was circulated with the agenda. The report is a financial review of the Council's income and expenditure account for the first six months of 2014, together with an overview of the activity on capital projects in the same period. The members noted the report as presented.

Ar moladh Cllr. R. Nagle  
Cuidithe ag Cllr. G. Keating agus glacadh leis

“Pursuant to the provisions of Section 104 of the Local Government Act 2001, additional expenditure to be incurred in 2014 in the amount set out below in respect of the following is hereby approved:-

Division B Road Transport and Safety €1,512,000”

The Head of Finance, Niall Barrett responded to queries raised by the members in relation to aspects of the report.

### **Variation of agenda.**

As the time had now reached 4:45 p.m. the members agreed to continue dealing with the headed items to their conclusion.

### **Item 10: Strategic Policy Committee Scheme.**

Report dated 2<sup>nd</sup> September, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with the Scheme for the Strategic Policy Committees. The report states that at the July Council meeting, the members adopted the Draft S.P.C. Scheme as circulated subject to the inclusion of Community, Recreation and Amenity with the Cultural Services.

Submissions have since been invited through the local media and directly from the National Pillars and the Clare Community Forum.

Monday, 1<sup>st</sup> September at 12 noon was closing date for submissions. 2 No. submissions were received from the following parties:

- 1 Environmental Pillar
- 2 Chambers Ireland.

The Corporate Policy Group at its meeting earlier this week considered the submissions received and decided to accept the suggestion of the Environmental Pillar to have a representative from the Environment Sector on the Planning and Housing S.P.C. rather than as originally proposed on the Cultural Services, Arts (including Community, Recreation and Amenities) S.P.C. There will be an additional Community/Voluntary Representative on the Cultural Services, Arts, Community, Recreation and Amenity S.P.C. to fill the vacancy caused by the change outlined above with this Sector relinquishing the representative previously proposed for the Planning/Housing S.P.C.

This is the only change to the Draft S.P.C. Scheme adopted by the members at the July meeting.

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

“That the amended S.P.C. Scheme as circulated with the September Agenda be adopted.”

Once the Scheme has been adopted, nominations will be sought from the various sectors and a report outlining details of the nominees will be circulated to the members in due course. The Council is required to allow a month for the Sectors to respond with their nominees.

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the members outlined below be confirmed as Chairs of the respective S.P.C.’s and that an allowance of €6,000 be paid to each Chair.”

Cllr. J. Cooney, Chair of Environment & Transportation S.P.C.  
Cllr. G. Flynn, Chair of Planning & Housing S.P.C.,  
Cllr. R. Nagle, Chair of the Economic Development & Enterprise S.P.C.  
Cllr. P. Hayes, Chair of the Cultural Services & Arts (including Community, Recreation & Amenities) S.P.C.

It was noted and agreed that members would serve on the individual S.P.C.’s as outlined below.

### **Strategic Policy Committees.**

*The following table outlines the S.P.C.’s to which each elected member will serve on.*

<b>Planning &amp; Housing</b>	<b>Environment &amp; Transportation</b>	<b>Economic Development &amp; Enterprise</b>	<b>Cultural Services &amp; Arts (including Community, Recreation and Amenities)</b>
Cllr. P. Murphy	Cllr. J. Cooney	Cllr. J. Flynn	Cllr. M. Howard
Cllr. P. Burke	Cllr. B. Slattery	Cllr. G. Keating	Cllr. J. Crowe
Cllr. G. Flynn	Cllr. C. Crowe	Cllr. P.J. Ryan	Cllr. M. Begley
Cllr. A. Norton	Cllr. J. Breen	Cllr. I. Lynch	Cllr. M. McKee
Cllr. P.J. Kelly	Cllr. M. Hillery	Cllr. R. Nagle	Cllr. P. Hayes
Cllr. T. McNamara	Cllr. A. O’Callaghan	Cllr. P. McMahon	Cllr. B. Chambers
Cllr. T. O’Brien	Cllr. C. Curtin	Cllr. C. Collieran Molloy	Cllr. P. Daly

### **Item 11: Joint Policing Committee.**

Report dated 2<sup>nd</sup> September, 2014 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with copy of letter received last week from the Department of Justice and Equality with details of revised guidelines for Joint Policing Committees.

The regulations specify the following:

- The J.P.C. to be established by this Council should have 14 Local Authority Elected Members, 5 Oireachtas members, 2 Local Authority Officials, 2 Garda Síochána and 6 Community Representatives.

- The Chair shall be selected by the Local Authority Members on the J.P.C. and should serve for a minimum period of two years.
- The Local Authority Elected Members on the J.P.C. shall reflect the representative spread of the full Council and be representative of each Municipal District.
- In relation to Community Members, each J.P.C. should decide the most appropriate community based organisations or groups to be represented. In doing so J.P.C.'s should have regard to relevant guidelines on community representation which may be issued by the Minister for the Environment, Community and Local Government. J.P.C.'s should also ensure that those community members selected will ensure broad based representation of the range of local community interests, as well as considering the need for representation of particular localities, young persons and children, victims groups, business interests and particular communities (e.g. Travellers or Immigrant Communities).
- The Garda Síochána representatives will be nominated by the Commissioner.
- The Guidelines also state to the greatest extent possible, the objective of achieving a 40% gender balance in the making of appointments, as well as the need to foster social inclusiveness and equality when selecting membership should be adhered to.

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the Council establish a Joint Policing Committee”

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the following members would serve on the J.P.C

1. Cllr. I. Lynch
2. Cllr. M Hillery
3. Cllr. A. O’Callaghan
4. Cllr. P. McMahon
5. Cllr. P. Burke
6. Cllr. J. Crowe
7. Cllr. B. Slattery
8. Cllr. A. Norton
9. Cllr. M. Begley
10. Cllr. P.J. Ryan
11. Cllr. G. Flynn
12. Cllr. P. Daly



13. Cllr. M. Howard

14. Cllr. P. Murphy.”

The following resolution read out by the Meetings Administrator was proposed by Cllr. C. Crowe, seconded by Cllr. C. Colleran Molloy and agreed by the members present:

“That this Council calls on the C.E.O., Mr. Tom Coughlan, to liaise with the Limerick City and County C.E.O. and Senior Garda Officials in Limerick City so that there can be a Clare nominee appointed to the Limerick Joint Policing Committee.”

It was agreed that Item 26, notice of motion submitted by Cllr. I. Lynch on the agenda could be dealt with under this item as they relate to the same subject.

**Item 26: Joint Policing Committee.**

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

“Following the abolition of Town Councils can the C.E.O. provide an up-date in the status of Joint Policing Committees and implications for towns that had J.P.C.s through town councils”.

After some discussion on the matter it was agreed that this motion should be brought to the first meeting of the newly appointed Joint Policing Committee.

**Item 12: Local Community Development Committee (L.C.D.C.).**

Report dated 2<sup>nd</sup> September, 2014 from Gerard Dollard, Director of Services was circulated with the agenda. The report states that at the July meeting of Council, the Members agreed the membership of a 17 person Local Community Development Committee.

In July, the Local Community Development Committee (Section 128E) Regulations 2014 were amended. The revised Regulations provide that:

“Where the total number of Members of a Local Authority is 40 or fewer, the membership of the Committee shall consist of no more than 19 persons”.

The C.P.G. has discussed the matter and has recommended that the Council would establish a 19 person Local Community Development Committee. The increase in membership of 2 will result in an additional nominee from the public sector and an additional nominee from the private/community sector.

The C.P.G. recommended that the following should apply:

- the additional nominee from the public sector should be the Chair of the Economic Development and Enterprise, Strategic Policy Committee of the Council – Cllr. R. Nagle.
- the additional nominee from the private/community sector should be from the Clare Age Friendly Alliance Board;

Both of these recommendations were agreed by the members present on the basis that there would now be a 19 person L.C.D.C.

The Council also needs to consider the situation where 2 Elected Members (Cllr. J. Flynn and Cllr. B. Chambers) are appointed to both the Local Community Development Committee and the Clare Local Development Company Ltd.

The statutory guidelines for the establishment of Local Community Development Committees stipulate:

“Local Authority Members and Officials, who are Board members of any community or voluntary organisation, community development body or local development body represented on the Local Community Development Committee cannot be members of the L.C.D.C.”

Ger Dollard informed the meeting that both Cllr. J. Flynn and Cllr. B. Chambers had now resigned from the C.L.D.C.

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

“That Cllr. G. Keating will replace Cllr. J. Flynn on Clare Local Development Company (C.L.D.C.)”

Ar moladh Cllr. P. Hayes  
Cuidithe ag Cllr. P. Daly agus glacadh leis

“That Cllr. T. McNamara will replace Cllr. B. Chambers on Clare Local Development Company (C.L.D.C.)”

### **Item 13: Council receipts.**

Ar moladh Cllr. C. Curtin  
Cuidithe ag Cllr. G. Flynn agus I. Lynch agus glacadh leis

“That the Head of Finance inform the Council of amounts collected in Clare and sums receipted to Clare County Council for household charge, local property tax and motor tax together with the Local Government Fund allocation (general fund and special water services allocation) for each of the years 2008 to 2014 (inclusive) and arising from the new financing arrangements for Local Government that Clare County Council is adequately funded commensurate with the needs of the county and its tax payers.”

### **Niall Barrett, Head of Finance replied as follows:**

“The table below sets out the amounts collected in Clare for Household Charge, Local Property Tax, Motor Tax; and the Local Government Fund allocations received (including water services allocations).

**Money received to Clare County Council.**

*The table below sets out the amounts collected in Clare for Household Charge, Local Property Tax, Motor Tax and the Local Government Fund allocations received (including water services allocations).*

	2008	2009	2010	2011	2012	2013	2014
	€'000	€'000	€'000	€'000	€'000	€'000	€'000
Household Charge					3,414	677	
Local Property Tax						5,500	8,000
Motor Tax	28,549	28,383	27,729	26,915	28,195	30,029	18,839
Local Government Fund	16,477	14,883	13,415	12,736	9,932	10,073	2,646
Water Services Allocation	944	927	504	419	228	65	

Household Charge was a charge levied on properties in 2012. This was collected by the council in 2012 with arrears of household charge collected up to the 1<sup>st</sup> July 2013. From the 1<sup>st</sup> July 2013 Revenue took over collection responsibility. From 1 July 2013, any outstanding Household Charge liability was included as part of the Local Property Tax liability for the property

Local Property Tax (L.P.T.) is collected by the Revenue Commissioners. In 2013 the tax was levied on a half year basis only, with a full year payable in 2014. The table above reflects the amounts published by Revenue as collected in 2013 and 2014 to July.

Motor tax collected includes on line transactions through the central website in respect of Clare motor tax. 2014 amounts collected are up to 31 July 2014. All sums collected in respect of motor taxes are transferred to the Department of Environment, Community and Local Government.

Local Government Fund figures represent amounts received by Clare County Council from the years 2008 to 2013.”

**Item 14: Irish Water.**

Ar moladh Cllr. B. Chambers  
Cuidithe ag Cllr. C. Crowe agus glacadh leis

“Clare County Council is acting as an agent of Irish Water in relation to the invoicing and collection of payments for the services provided by Irish water. Can the billing procedure for 2014 onwards with regards to domestic, agricultural and commercial be clarified.”

**Carmel Greene, Senior Executive Officer, Water Services Department replied as follows:**

**“Domestic Customers**

The installation and billing of domestic water meters is not a function of Clare County Council under the Service Level Agreement and this is dealt with directly by Irish Water.

Irish Water launched a national public awareness campaign on Tuesday 19<sup>th</sup> August. This is the first direct engagement with customers before water charges commence on 1<sup>st</sup> October 2014. All households in Ireland will receive an “application pack” in September 2014 and all households are requested to reply to Irish Water by 31<sup>st</sup> October 2014. By completing the application process, it will help Irish Water clarify which households are customers of theirs, what allowances they are entitled to and to ensure that accurate billing can be done by Irish Water in January 2015.

We have been advised by Irish Water that the work on the installation of domestic meters in County Clare will commence around the end of September 2014.

**Non-Domestic Customers**

Since January 2014, Clare County Council is issuing bills for water and waste water charges and collecting such charges from non-domestic customers (agricultural and commercial) as an agent of Irish Water. This function is due to transition to Irish Water and they had intended that this would happen this year. Mr. John Tierney, Chief Executive of Irish Water has stated in a letter dated 23<sup>rd</sup> July 2014, that it is likely that local authorities will continue to act as an Agent for Irish Water and maintain the non-domestic billing function for 2015. He advised that it is likely to be October 2014 before Irish Water will be in a position to propose a formal migration for non-domestic billing from local authorities.”

**Item 15: Water Charges Plan.**

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

“That the Head of Finance clarify the pricing, re-classification and policy implications for domestic and non-domestic customers of the proposed Water Charges Plan by Irish Water”.

**Carmel Greene, Senior Executive Officer, Water Services Department replied as follows:**

“The Commissioner for Energy Regulation commenced a consultation process in early 2014 in relation to the policy for charging domestic customers for water services and the Local Authority has no direct role in this process.

The C.E.R. published its report on the consultation process on Irish Water’s proposed Water Charges Plan and revenue requirement on 31st July 2014. I attach an Executive summary of this report as an Appendix and it presents their findings on the C.E.R.’s review of Irish Water’s interim price control submission and Irish Water’s Water charges plan (costs and tariffs) for the period 1<sup>st</sup> October 2014 to 31<sup>st</sup> December 2016. This report was open to public consultation, which closed on 28th August 2014. After this Irish Water will publish its schedule of charges for water services, which will apply from 1st October 2014.

The following are key points to note in the summary document issued by the C.E.R. on the Water Charges Plan consultation document:

1. There are unique characteristics to the Irish Water Water Charges Plan – it is a newly established entity and the structures and rules and tariffs which will be approved by the C.E.R. are being designed from first principles.
2. The C.E.R. is required to take into account the Water Charges Policy Direction 2014 issued by the Minister for Environment, Community and Local Government which set out specific instructions to the C.E.R.
3. The C.E.R. has undertaken a review of Irish Water's costs and has calculated a proposed level of efficient costs, which is the subject of public consultation. This is to ensure that customers are getting value for money. It is likely that the C.E.R. will impose efficiency challenges with a view to seeking reductions in cost, while maintaining levels of service.
4. Domestic tariffs will be calculated on a national basis with separate tariffs for water and waste water calculated on a 50/50 cost basis, with no standing charge. Unmetered customers will be charged on the basis of adult occupancy.
5. Household allowances will be set at 30,000 litres per service, per household, as per the Minister's Water Charges Policy Direction 2014.
6. The C.E.R. is consulting on Irish Water's proposal to charge a volumetric unit rate of €2.44 per m<sup>3</sup> for each service. This would result in a combined charge of €4.88 per m<sup>3</sup> for water and waste water services. Clare County Council's current charge for non-domestic is €1.24 per m<sup>3</sup> for water only and €2.89 per m<sup>3</sup> for water and waste water, together with the annual meter charge.
7. There are many other proposed charges listed in the consultation document including, a default charge where households fail to register, charge on non primary residences, discounts where the water is not fit for human consumption and provisions for customers with specific medical conditions.
8. In relation to **Non-Domestic Customers** it is understood that existing charges for non-domestic water and/or wastewater customers as determined under relevant Government Policy and applied by Local Authorities prior to 1st January 2014 will necessarily by default continue to apply for the foreseeable future. This will most likely continue until the C.E.R. is presented with the necessary information, so that it is in a position to consider the manner and method by which charges are calculated.

All of the consultation documents and responses from the public are available to view and download on [www.cer.ie](http://www.cer.ie). It is understood that the consultation period has now closed and that the C.E.R. will review submissions made in response to the consultation. The C.E.R. plans to reach a decision on all the matters and prepare a final decision paper for publication in September 2014."

**Item 16: Housing Grant Applications.**

Ar moladh Cllr. A. Norton  
Cuidithe ag Cllr. C. Crowe agus glacadh leis

“That Clare County Council provide the number of grant applications for Housing Adaption Grants for people with a disability, Housing Aids for older people, and Mobility aids grant.

What structure is put in place to prioritise these grants and how many grants are still waiting approval for 2 years and over; and if the Housing Section feel they are not getting enough funding to cater for the number of applications that Clare County Council ask the Minister for the Environment Community and Local Government to allocate sufficient funding as these are normally the people that are the most vulnerable in society”.

**Gerard Dollard, Director of Service replied as follows:**

“The total number of applications currently comprise the following:

**Housing Grant Applications.**

*The following table outlines the total number of applications for housing grants.*

<b>Category</b>	<b>Total</b>	<b>Over 2 years</b>
Housing Adaptation Grant for People with a Disability	151	98
Housing Aid for Older People	195	110
Mobility Aids Grant	54	16
<b>Total</b>	<b>400</b>	<b>224</b>

The Department of Environment Community and Local Government notified Clare County Council that the capital allocation of €1,614,763, (including €22,953 from own resources) is to fund grants under the above mentioned schemes in 2014. The apportionment of this allocation under the respective headings is a matter for each local authority and is done in accordance with the Grant Implementation Scheme adopted by Clare County Council.

Prioritisation on the basis of medical need is carried out by the Director of Community Care, H.S.E. In conjunction with such, the local authority considers duration of time on the waiting list as well as exceptional family circumstances.

As part of the Council's proactive approach to delivering the service, a staff member has been assigned the role of Advocacy Officer. He links the various aspects of the process to assist the applicant at all stages with administrative and technical requirements.

It is expected that in the region of 250 – 300 applications will be funded in total this year drawn from all headings. As 20% of the funding for these schemes comes from Clare County Council's own resources there are limitations on the Council's ability to fund grant applications, although all applications in the Priority 1 (*Medical*) categories will continue to be accommodated in the shortest timeframe possible."

### **Chair of Meeting.**

At this point in the meeting the Cathaoirleach, Cllr. J. Crowe arrived and thanked Cllr. T. O'Brien for presiding in his absence and resumed his role as Cathaoirleach.

### **Tidy Towns Result.**

Cllr. J. Crowe spoke of his immense pride at representing Clare at the National Tidy Towns Awards in Dublin earlier in the day and congratulated Kilrush on winning the National Award for Small Towns and commended Ennis, Ballynacally, Tuamgraney and Kilkee on their successes also.

### **Item 17: Housing List.**

Ar moladh Cllr. M. Hillery  
Cuidithe ag Cllr. C. Crowe agus glacadh leis

"That the management of Clare County Council would provide the following information:-

- (a) How many people are on the housing list in the County?
- (b) State the amount of capital allocation by the Government for the last 3 years to Clare County Council to erect new houses or purchase existing houses to meet the housing need in Co. Clare".

### **Gerard Dollard, Director of Service replied as follows:**

"The following are the figures for Housing Waiting List numbers:

- Total number of approved applicants for social housing support in Clare currently is 3,066.

A breakdown by Municipal District Area can only be done manually and thus with the reduced staff resources would take a considerable time to complete. To assist an analysis of the above figure the following is of relevance:

- |   |       |
|---|-------|
| • No. Of Applicants with a first preference for the County Area | 2,077 |
| • No. Of Applicants with a first preference for Ennis town      | 813   |
| • No. Of Applicants with a first preference for Kilrush town    | 176   |

The amount of capital allocation by the Government for the last three years to Clare County Council is as follows:

	<b>2011</b>	<b>2012</b>	<b>2013</b>
House Construction	675,397	353,551	1,175,500
House Purchase	73,721	128,131	228,567
	749,118	481,682	1,404,067

The allocation in 2011 was utilised to finalise a number of construction projects at Whitegate, Killaloe, Shannon, Cross, Miltown Malbay, Kilrush and Scariff. A house was also purchased in Clonlara.

The 2012 allocation funded the land costs for 12 houses at Clonlara, the construction of a single rural house at Middleline, Scariff and the purchase of 3 houses at John Paul Estate, Kilrush.

In 2013 the capital allocation was used to progress the construction of 12 houses at Clonlara and the purchase of 4 houses - 2 in Ennis, 1 in Shannon and 1 in Crusheen.

At present housing supply in Clare is not meeting growing housing-need demand by our customers. The Council is now in a position to progress new housing design and construction if funding is approved at National level. The immediate priority for the Housing Services Department in the Clare County Council Budget 2015 is to provide for the ongoing maintenance and repair of existing housing stock in order to continue to deliver quality accommodation provision to customers. This budget provision will need to take account of the amalgamation of former Kilrush and Ennis Town Council housing stock maintenance costs into the one county budget. Also, the fact that the amalgamated local authority has moved from a partly direct labour model for housing maintenance to full external contracting countywide. This requires a shift in the labour cost from payroll to housing maintenance in Budget 2015. The labour force involved are now benefitting the delivery of roads services, but the costs of building materials and construction costs for housing maintenance continue to increase.”

It was agreed that Item 31 would be dealt with at this point as it was on a related subject.

**Item 31: Social Housing.**

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

“That this Council would request the Minister for Environment to provide funding to build or purchase social housing as there is a major shortage at present in Co. Clare”.



**Item 18: Disabled parking spots.**

Ar moladh Cllr. A. Norton

Cuidithe ag Cllr. B. Chambers agus M. McKee agus glacadh leis

“Clare County Council supply a report in the suitability of disabled parking spots throughout Co. Clare with special emphasis on urban areas addressing-;

- Site selection
- suitability of location
- access to adjoining footpaths
- access to associated amenities
- quality of surface

and based on the finding of this report that Clare County Council put a program in place to remedy any deficiencies in disabled parking space highlighted”.

**Tom Tiernan, Senior Engineer replied as follows:**

“This response relates to parking facilities for disabled drivers in public areas in the County and doesn’t deal with private developments. In general terms the criteria adopted to accommodate provision of such facilities are based on

- the objective to ensure that 2% - 3% of all spaces are for disabled drivers – particularly in the larger urban areas
- suitability of location in terms of access to amenities, shopping areas, services etc.
- accessibility to adjoining pedestrian facilities
- space availability
- convenience for users
- observations from general public – particularly members of the disabled community.

Overall the distribution and availability of parking facilities for disabled drivers throughout County Clare has improved significantly over the years and while there is room for improvement most of the medium to large urban centres are reasonably well accommodated. There is a constant awareness among the Councils designers and engineers regarding the importance of ensuring that where public facilities such as car parks are being re-configured or upgraded the availability of parking facilities for disabled drivers must be reviewed and any identified deficiencies addressed. Similarly where deficiencies are identified regarding availability of such parking spaces outside of car parks, the opportunity is taken to rectify the situation pending availability of funding and identification of a suitable site. Consultation from the disabled community is always welcome and several parking spaces for disabled drivers have been provided, particularly in Ennis as a result of this consultation.

Notwithstanding the fact that, if anything, the experience is that in some areas the number of disabled spaces provided is actually greater than is needed. Traffic Wardens place a particular emphasis on ensuring that the importance of availability of parking facilities for disabled drivers is respected by other members of the general public.

Overall our experience is that in the vast majority of centres throughout the County the disabled community is catered for reasonably well – particularly in the larger urban areas and the extent of complaints received regarding availability and location of them is minimal. The single biggest challenge relates to the fact that a significant but small minority of regular drivers park illegally on a regular basis in spaces which are reserved for disabled drivers– sometimes taking the chance that they won’t be caught and sometimes using disability permits which are not their own. As indicated above traffic wardens give priority to pursuing such offenders but satisfactory resolution requires strengthening of legislation and associated regulation.”

In speaking on this motion, Cllr. A. Norton referred to a number of Council facilities, namely De Valera Library, Ennis and Kilkee Library where disabled parking provision is less than satisfactory.

**Item 19: Japanese Knotweed.**

Ar moladh Cllr. P.J. Kelly  
Cuidithe ag Cllr. I. Lynch agus glacadh leis

“That a county-wide scheme be drawn up to eliminate the rapidly spreading Japanese Knotweed growth”.

**Tom Tiernan, Senior Engineer replied as follows:**

“I concur with the suggestion that there is a need for a scheme to deal conclusively with the evolving Japanese knotweed problem. Over the past two to three years the degree of concern regarding the proliferation of knotweed and a number of other noxious plants has grown and it is acknowledged that there are several locations throughout the County, and indeed the Country, where the issue has become more pronounced.

Ultimately, this is a National problem and it is important that the lead is taken via the relevant agencies at National level to confront the issue in a meaningful way and to specifically allocate funding which would be ring-fenced in this context. Relevant agencies would include the National Parks and Wildlife Service (N.P.W.S.), Teagasc, etc. with support in a funding context coming via the Department of the Environment, the Department of Transport and possibly other Government Departments. In the first instance more detailed information regarding the exact extent and locations of noxious weed problems throughout the County and Country would be of benefit so that it could be measured in financial terms and thereby set the parameters for a scheme of the type sought by this Notice of Motion.

From the Local Authority point of view, it would be necessary to have access to a specific allocation to deal with noxious weeds or to secure some specific external funding – unless this approach is taken very little progress can be made without reducing the already seriously depleted road maintenance funding and this would not be appropriate.

With the Councils approval, this Notice of Motion can be forwarded to the Department of the Environment stressing the importance of prioritising the issue in consultation with the N.P.W.S. Also, the Department of Transport will be asked to make a specific allocation of funding available to deal with the matter in 2015.”

**Item 20: Motor tax.**

Ar moladh Cllr. C. Crowe  
Cuidithe ag Cllr. T. O'Brien agus glacadh leis

“To ask the County Manager for a report on the motor tax payment arrangements in place at the Clare County Council's municipal and area offices. In particular I would like this report to address the following:

- (1) What payment options are available at each office?
- (2) What revenue is derived from each office?”

**Fiona Mooney, Authorised Officer, Motor Tax replied as follows:**

“The majority of motor tax transactions in the county are now being done online at [www.motortax.ie](http://www.motortax.ie). For the month of July 2014, 55% of tax discs issued were handled online, compared to 36% for July 2011.

There are two motor tax offices in the county, at Aras an Contae and in Ennistymon. Payment options for customers at these offices are: debit card, credit card, cash, postal order, cheque, and bank draft. An online motortax facility is available at the Council offices in Scariff, Westbury and Kilrush. Debit card, credit card, cash, postal order and bank draft are the payment options available for customers using the online facility in these offices.

The sums transacted at each office for the period January 2014 to July 2014 are given in the table below. The revenue derived from motor tax collected in each office does not form part of Clare County Council's income.

**Motor Tax.**

*The following table outlines the sums transacted at each office for the period January 2014 to July 2014.*

	<b>January 2014 to end July 2014</b>
	<b>€</b>
Ennis motor tax office	7,149,641
Ennistymon motor tax office	1,373,177
Kilrush online service	174,685
Westbury online service	128,244
Scariff online service	73,364

At this point it was agreed to adjourn the meeting until Monday, 15<sup>th</sup> September 2014 at 3:45 p.m.

The meeting then concluded.

**Signed:** \_\_\_\_\_  
**Riarthóir Cruinnithe**

**Signed:** \_\_\_\_\_  
**Cathaoirleach**

**Date:** \_\_\_\_\_

**Minutes of the adjourned September Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 15<sup>th</sup> September, 2014 at 3:45 p.m.**

**Present:**

Councillors J. Breen, J. Flynn, P. Daly, T. McNamara, M. Howard, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, A. O'Callaghan, J. Crowe, G. Flynn, P.J. Ryan, P. McMahan, C. Curtin, R. Nagle, 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.
- Ms. Noeleen Fitzgerald, Management Accountant.
- Mr. Sean Ward, Senior Engineer.
- Mr. Tom Tiernan, Senior Engineer.

**Apologies:** Cllr. C. Crowe.

The Cathaoirleach, Cllr. John Crowe presided.

**Item 21: Sewage Schemes.**

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

- “a. How many sewage schemes are waiting approval from the Department of the Environment?  
b. Is there a priority list?”

**Sean Ward, Senior Engineer, Water Services replied as follows:**

“Since the advent of Irish Water as Water Services Authority, the D.E.C.L.G. is no longer the arbiter of which water or sewerage schemes are placed on capital investment programmes. Irish Water makes these decisions through its Water Investment Advisory Committee (W.I.A.C.).

Irish Water's 2014-2016 capital investment plan announced on 15<sup>th</sup> May 2014 includes the following Clare projects:

### **Wastewater projects, total €22.3m.:**

- Shannon sewerage scheme (Advance contract to upgrade pumping stations) – Continue in construction
- Shannon sewerage scheme – Review scope & commence construction
- Ennis-Clarecastle sewerage scheme (Clonroadmore wastewater treatment plant upgrade) – Review scope & commence construction. The contract for this job was signed between Irish Water and the contractor, Response Engineering/Ward & Burke Joint Venture, on 22<sup>nd</sup> August 2014.
- Ennis-Clarecastle sewerage scheme (Sewer rehabilitation) – Review scope & commence construction
- Ennis-Clarecastle sewerage scheme (Phase 1 Clareabbey wastewater treatment plant upgrade) – Review scope & commence construction
- Kilrush & Kilkee sewerage scheme (Upgrade of Kilrush wastewater treatment plant) – Review scope & commence construction
- Quin wastewater treatment plant – Review scope & commence construction
- Kilfenora sewerage scheme (Upgrade wastewater treatment plant)– Review scope & commence construction

### **Water projects, total €130,000:**

- Ennis water supply scheme (Newmarket to Ennis interconnector) – Continue planning and business case review
- “Newmarket water supply scheme” (actually refers to upgrade of water main from Moygalla reservoir to Sixmilebridge) – Continue planning and business case review

The May 2014 plan excluded water conservation projects, which were to be decided later. Since then, Irish Water has stated that the Ennis water mains rehabilitation programme, with a value of c. €4.5m., is very likely to proceed in addition to the above projects.”

Sean Ward also provided updates to the members on the present position on other proposed schemes at Carrigaholt and Broadford.

### **Item 22: Playground grant scheme.**

Ar moladh Cllr. C. Colleran Molloy  
Cuidithe ag Cllr. P. Burke agus M. Begley agus glacadh leis

"That Clare County Council re-introduce a playground grant scheme"

### **Gerard Dollard, Director of Service replied as follows:**

“The Council operated a very successful playground grant scheme up to 2013. A total sum of €2.18m. was allocated to the provision of playgrounds throughout the county and 29 new

playgrounds were provided. The model used was a public private partnership model where the operation and management of the playgrounds was undertaken by the local communities involved.

Provision of the playgrounds has been funded through monies allocated from the development levy fund where contributions had been collected towards the improvement of recreation and amenities. These monies were combined with local and other contributions. Further playgrounds have been funded throughout the county under the LEADER programme.

While the scheme has been an outstanding success, there are issues arising currently in relation to the operation and management arrangements and the required commitment of local communities to these arrangements. This is a matter which the Council will be engaging on with the groups involved to see if suitable solutions can be found. We understand that a submission will be made to Council in connection with the 2015 Budget towards seeking some support for ongoing operational and management costs.

The introduction of a further playground grant scheme will be contingent on the availability of funding. The funding source from development levies is no longer available and in the absence of a major capital funding allocation from another source, the Council will not be in a position to provide capital funding towards the provision of new playgrounds in the county.”

**Item 25: County Rate.**

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

“That Clare County Council when preparing their Annual Budget consider lowering the County Rate of 72.99 multiplier and bring rates throughout the County to an equal and equitable level in order to generate better incentives for job creation”.

**Niall Barrett, Head of Finance 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.

As required by the regulations the effect of the B.Y.A. in every case will be to neutralise any increase or decrease in rates due in 2015 that would otherwise occur as a result of the rate struck by the members for the amalgamated authority as a whole i.e. ratepayers will pay no more or no less in rates in 2015 than they did in 2014, with the exception that the rates payable in former town commissioners areas will reduce to the county rate.

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. To introduce a reduction in the underlying rates multiplier for in the future would require the identification of matching additional

income sources and/or reduced expenditure budgets, as the council is required to produce a balanced budget.”

**Item 27: Flood and storm damage.**

Ar moladh Cllr. P. Hayes  
Cuidithe ag Cllr. R. Nagle agus glacadh leis

“I propose that following our emergency meeting in relation to the delay in getting funding for the flood and storm damage and coastal protection, that a full update be given to members on progress to date on these matters from the different Government Departments, and also now what are the current proposals for this Council to progress these urgent issues”.

**Tom Tiernan, Senior Engineer, Transportation replied as follows:**

“Councillors will recall from the emergency meeting held on August 5<sup>th</sup> that the key issue from Clare County Councils point of view was to secure clarification from the Department of the Environment regarding the position in relation to the Councils application for funding to carry out the strengthening of coastal defences at a number of locations and its further application in relation to funding to cover the cost of damage caused by storms in February of this year. Since then there have been some developments including

- The O.P.W. has confirmed that it would consider applications for funding to cover the cost of engagement of Consultants at locations where strengthening is required. In this regard we immediately submitted our application in relation to Cloughaninchy and following on from the O.P.W.s recent approval in this regard we are proceeding right away to commence the procurement process to accommodate such an appointment. Further applications of this nature will be submitted to the O.P.W. shortly.
- The Department of the Environment has responded to the Councils queries regarding the strengthening and February storms funding – this response has already been circulated to Councillors. In essence our interpretation is that where strengthening is required a step by step approach is to be taken where progress from one step to the next will depend on outputs from proceeding stages. In most cases the first step involves an application for approval to appoint consultants as referred to above.
- Also the letter from the Department of the Environment acknowledges that the Councils query in relation to February storm damage funding hasn't been answered and they (Department of the Environment) are pursuing the matter with the Department of Public Expenditure and Reform. We will continue to press for clarity in relation to this issue with a view to ensuring that our programme of remediation is as robust as possible.

So far this year the Council has spent in the region of €3.5m. as a consequence of the storms of January and February. This expenditure is accounted for by extensive clean-up work (in many cases twice) at over 40 locations along the Clare coast; the implementation of an array of extensive interim works at locations such as Cloughaninchy, Kilbaha, Kilcredaun, Clahane, New Quay etc.; permanent remediation works at several locations including Kilkee, Carriagholt, Spanish Point, Liscannor etc. and preparation works for the tourist season now winding down at locations such as Lahinch, Spanish Point, Kilkee, Loop Head etc.



Further works can be implemented independently of the difficulties being created by the need to clarify the position regarding funding of February storm damage remediation - such works will be scheduled and implemented.

Where vulnerabilities exist at locations where it hasn't been possible to remediate to the extent needed, monitoring of the situation will continue through the winter months – particularly at times when weather predictions urge caution.”

As Item 32 on the agenda related to Item 27 it was agreed that this would be dealt with at this point.

**Item 32: Funding from O.P.W.**

Ar moladh Cllr. R. Nagle  
Cuidithe ag Cllr. M. Hillery agus P.J. Kelly agus glacadh leis

“That Clare County Council calls on the Minister for Public Expenditure Brendan Howlin and the Minister for Finance Michael Noonan to ensure that adequate funding is allocated to the O.P.W. in the upcoming budget to allow the O.P.W. to respond to the submission by the Department of Environment, regarding the application by Clare County Council for €12m. to develop new flood defence infrastructure, to protect homes affected by the December 2013 and January 2014 storms and respond to the application by Clare County Council for emergency funding submitted on February 10th 2014, to repair the damage caused during the second wave of storms in early February 2014”.

Both Tom Coughlan, Chief Executive and Tom Tiernan, Senior Engineer responded to queries raised by the members and made the following points:

- Council needs a multi-annual programme – not possible to do all works in one year.
- Government decision awaited in response to Council submission following the February storms.
- Some works have been done and more will be done by year-end.
- Council needs to know the total allocation available so that works can be progressed.

**Item 28: Civic Recognition Ceremony.**

Ar moladh Cllr. T. O'Brien  
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That Clare County Council give a civic recognition ceremony to Rosie Foley of Newtown, Killaloe on her achievement of swimming the English Channel and Lough Derg”.

**Homecoming.**

Cllr. J. Crowe, Cathaoirleach wished to compliment Clare County Council on its organisation of the homecoming for the newly crowned All Ireland U21 Hurling Champions which had taken place on the previous evening in Abbey Street Car Park.

He also congratulated the Clare Team and their mentors on winning a historic Under 21 All Ireland Hurling Championship for the third time in a row.

**Item 29: Restaurants Association of Ireland.**

Ar moladh Cllr. P. Murphy  
Cuidithe ag Cllrs. M. Howard, J. Flynn, J. Cooney agus glacadh leis

"That Clare County Council supports the call from the Restaurants Association of Ireland for the ongoing retention of the 9% V.A.T. rate for the food, tourism and hospitality sector into 2015".

**Item 30: World Suicide Prevention Day.**

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

“World Suicide Prevention Day is observed on September 10th each year to promote worldwide action to prevent suicide.

I propose that Clare County Council along with the National Office for Suicide Prevention (H.S.E.) facilitate a "SafeTalk" workshop for Councillors and staff of Clare County Council.

safeTALK is a half day training programme that prepares participants to identify persons with thoughts of suicide and connect them to suicide first aid resources. These specific skills are called suicide alertness and are taught with the expectation that the person learning them will use them to help reduce suicide risk in their communities. Following a safeTALK workshop you will be more willing and able to perform an important helping role for persons with thoughts of suicide.”

**Item 33: Ennis General Hospital.**

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllrs. P.J. Ryan agus P. Daly agus glacadh leis

“Due to the absence of a model 3 hospital in the Mid West Acute Hospitals Group I request this council to call on the H.S.E. and the Department of Health to provide funding to upgrade Ennis General Hospital to a Model 3 Hospital in order to provide a safe, quality and excellent health service equitably for the people of the Clare, Limerick and North Tipperary”.

**Item 34: Farming incomes.**

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

“That Clare County Council support the efforts of the farming organisations to address the disastrous collapse in farming incomes”.

**Item 35: Once off houses/extensions.**

Ar moladh Cllr. P. McMahon  
Cuidithe ag Cllrs. T. O'Brien agus A. O'Callaghan agus glacadh leis

“That Clare County Council request the Government to re-visit the recent regulations which are causing extreme difficulty for builders of once off houses/extensions and for their professional advisors”.

**Item 36: Cedra Report.**

Ar moladh Cllr. J. Flynn

“Appointment of a Minister for Rural Economic Development to implement the Cedra Report recommendations and it's potential for County Clare.

That Clare County Council set up a working group made up of Elected members (1 or 2 per Electoral area) and officials to report within 3 months to the full council on where there may be economic and employment opportunities for Clare in regard to the Government implementation of the Commission for Economic Development of Rural Areas (Cedra) Report and it's 34 recommendations. This is in light of the recent appointment of a Minister for Rural Affairs (Ann Phelan T.D.) with responsibility for implementation of the Cedra Report”.

**Gerard Dollard, Director of Services replied as follows;**

“The setting up of a Commission for Economic Development of Rural Areas (Cedra) is very welcome, as is indeed the report of the Committee which was published earlier this year.

The Council will be aware that, as part of the overall Local Government Reform programme, it is mandatory to establish a Strategic Policy Committee for Economic Development and Enterprise. The Council is in the process of establishing such a Committee in accordance with the statutory guidelines.

The Council has also established this year the Local Enterprise Office with a focus on enterprise and job creation. The establishment of the Local Community Development Committee and the preparation of a Local Community and Economic Plan also offer further opportunities for giving consideration to the recommendations of the Cedra report.

I would recommend that, in the first instance, the report should be considered by the Strategic Policy Committee who can then report to the full Council on the matter.”

Cllr. J. Flynn in moving the motion expressed concern at the inadequate time available to discuss this motion and it was agreed that this item would be included on the October agenda.

### **Item 36(a): National Broadband.**

Ar moladh Cllr. C. Colleran Molloy  
Cuidithe ag Cllr. T. O'Brien agus glacadh leis

“That Clare County Council call on the new Minister for Communications, Alex White T.D., to stand up for rural Ireland and reinstate funding for the National Broadband which was set-up to deliver basic affordable broadband to rural areas, which scheme recently expired on August 25<sup>th</sup>, 2014.”

It was agreed by all present that the meeting would be extended by 5 minutes in order to deal with the last remaining items on the agenda.

### **Vote of Sympathy.**

A vote of sympathy was expressed to the following:

- The family of the late Seán Ó Ceallaigh, Kilmaley.
- The family of the late Pakie Hanrahan, Mullagh, former employee of Clare County Council.
- Bridget Minogue, Register of Electors on the death of her mother Mary Ellen.

### **Item 37. Comhfhreagras.**

#### **The following correspondence was circulated at the meeting:**

E-mail dated 1<sup>st</sup> September, 2014 from Harriet Cotter, Enterprise Ireland in relation to racism in Ennis.

It was agreed that the Cathaoirleach would issue a press release on behalf of the Council in relation to this matter.

#### **Correspondence.**

#### **The following correspondence was circulated with the agenda:**

1. Correspondence dated 22<sup>nd</sup> August, 2014 from the Department of Health concerning discretionary medical cards.
2. Correspondence dated 11<sup>th</sup> August, 2014 from the O.P.W. in relation to damage to the Clare coastline following the January and February 2014 storms.
3. Correspondence dated 25<sup>th</sup> August, 2014 from the Department of Public Expenditure and Reform concerning the embargo on the employment of local authority workers.
4. Correspondence dated 14<sup>th</sup> August, 2014 from An Post in relation to rural Post Offices.
5. Correspondence dated 21<sup>st</sup> July, 2014 from the Office of the Minister for Social Protection in relation to the proposed removal of An Post as the designated payment services provider for social welfare benefits.

6. Correspondence dated 28<sup>th</sup> July, 2014 from the Department of Social Protection in relation to the Social Welfare and Pensions Bill 2014.
7. Correspondence dated 16<sup>th</sup> July, 2014 from the Department of Environment, Community and Local Government in connection with the Local Government Reform Act 2014.
8. Correspondence dated 9<sup>th</sup> July, 2014 from the Department of Environment, Community and Local Government concerning the Local Improvement Scheme.
9. Correspondence dated 25<sup>th</sup> July, 2014 from Irish Water in relation to Irish Water/Local Authority Elected members liaison.
10. Details of Kennedy Summer School taking place in New Ross on 11<sup>th</sup> – 13<sup>th</sup> September, 2014.
11. Correspondence from A.I.L.G. The members agreed with the recommendation from the Executive Committee on the proposal of Cllr. C. Curtin and seconded by Cllr. J. Crowe.
12. Correspondence dated 30<sup>th</sup> July, 2014 from University Hospital Limerick in relation to the Regional Health Forum.
13. Correspondence dated 21<sup>st</sup> August, 2014 from the Department of Transport, Tourism and Sport in relation to their Sport Statement of Strategy 2015-2017.
14. Resolution from Donegal County Council expressing its solidarity with the besieged Palestinian people and condemning the current atrocities in Gaza.
15. Resolution from Kerry County Council in relation to political parties holding Church gate collections.
16. Resolution from Kerry County Council in relation to planning.
17. Resolution from Kerry County Council in relation to the Housing Miscellaneous Provisions Bill 2014.
18. Resolution from South Dublin County Council in relation to the detention of an Irish Citizen in Egypt.
19. Correspondence from A.I.L.G.
20. Conference entitled “Social Housing in Ireland” being held in Bewley’s Hotel, Newland’s Cross, Clondalkin, Dublin 22 on 12<sup>th</sup> – 14<sup>th</sup> September, 2014.
21. Conference entitled “The Public Healthcare System” being held in Bewley’s Hotel, Newland’s Cross, Clondalkin, Dublin 22 on 26<sup>th</sup> – 28<sup>th</sup> September, 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.

### **Kennedy Summer School taking place in New Ross, Co. Wexford on 11<sup>th</sup> – 13<sup>th</sup> September, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €554.02 including conference fee of €79.

It was agreed that Cllr. C. Colleran Molloy attend this Conference.

**Finance Training for Elected Members being held in the Seven Oaks Hotel, Carlow on 16<sup>th</sup> September, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €340.33.

It was agreed that Cllrs. A. Norton, G. Flynn, P.J. Ryan, P. Hayes, A. O'Callaghan, R. Nagle, J. Breen, G. Keating, C. Colleran Molloy, T. McNamara, B. Chambers, T. O'Brien, M. Howard and P. Daly attend this Conference.

**Housing Training for Elected Members being held in Nenagh on 16<sup>th</sup> October, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €207.01.

It was agreed that Cllrs. A. Norton and P.J. Ryan attend this Conference.

**Dundalk Chamber to host major Cross Border Tourism Conference entitled "The Greenway Forward for Tourism, Health and Sport" being held in the Ballymascanlon House Hotel, Dundalk, Co. Louth on 9<sup>th</sup> April, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €42.24.

It was agreed that Cllr. J. Crowe attend this Conference.

**Planning Training for Elected Members being held in Ferrycarrig Hotel, Wexford on 6<sup>th</sup> November, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €378.08.

It was agreed that Cllr. P.J. Ryan attend this Conference.

The meeting then concluded.

**Signed:** \_\_\_\_\_  
**Riarthóir Cruinnithe**

**Signed:** \_\_\_\_\_  
**Cathaoirleach**

**Date:** \_\_\_\_\_

**Minutes of the Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Friday, 26<sup>th</sup> September, 2014 at 11:30 a.m.**

**Present:**

Councillors J. Breen, J. Flynn, A. Norton, T. McNamara, M. Howard, P. Murphy, C. Collieran 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. Kieran O'Donnell, A./Meetings Administrator.
- Ms. Siobhán Garvey, Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Ms. Anne Haugh, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Ms. Caroline O'Connor, Management Accountant.

The Cathaoirleach, Cllr. John Crowe presided.

**Deputation to attend Council Meeting.**

At the outset the Cathaoirleach, Cllr. John Crowe advised that a letter had been received from Ms. Rose Hynes on behalf of the Board Members of Shannon Airport Authority who had expressed their willingness to attend an upcoming meeting of Clare County Council to provide an update to the members.

It was proposed by the Cathaoirleach, Cllr. J. Crowe and seconded by Cllr. G. Flynn and agreed by the members "That Shannon Airport Authority would be invited to attend a meeting of Clare County Council at the next available suitable date".

**Local Property Tax Rate.**

The Cathaoirleach advised the members that this special meeting of Clare County Council had been called as the Finance (Local Property Tax) Act 2012, as amended, provided that a local authority may pass a resolution that the basic Local Property Tax rate should for a period specified in the resolution stand varied (either upwards or downwards) by a specified percentage in respect of relevant residential properties situated in the local authority's function area.

As agreed at the September monthly meeting, a briefing in relation to the Local Property Tax had taken place directly before this meeting. A report had issued to all members in advance of the



briefing session which provided an overview of the current Council's finances along with outlining the potential impact on discretionary funding and delivery of services based on the decision being made to either increase or decrease the rate of L.P.T. by varying percentage rates. A number of members spoke at this briefing and any questions that were raised were answered by both the Chief Executive and the Head of Finance.

A number of members spoke in favour of a 15% reduction in the L.P.T. as this would provide much needed relief to L.P.T. payers and households in the county. Other members expressed the view that by maintaining the L.P.T. at current levels, the Council would be in a position to provide an additional sum of €1.5m. each year on discretionary funding and that this would have a knock-on benefit to the people of the county

The following resolution was proposed by Cllrs. G. Flynn, T. McNamara, M. Begley, M. McKee, J. Breen, A. Norton, P.J. Ryan, M. Hillery, B. Chambers, C. Colleran Molloy, A. O'Callaghan, P. Hayes, R. Nagle, T. O'Brien, P. McMahon, P.J. Kelly, C. Crowe.

“We the undersigned propose that Clare County Council reduce the property tax by 15% in respect of relevant residential properties situated in its functional area for the period 1<sup>st</sup> November, 2014 to 31<sup>st</sup> October, 2015 as per Section 20 of the Finance (Local Property Tax) Act 2012.”

Once all members had an opportunity to express their views on the matter, the Cathaoirleach agreed that a vote would take place, which resulted as follows:

**In favour:** Cllrs. J. Breen, A. Norton, T. McNamara, C. Colleran Molloy, P. Hayes, M. Begley, T. O'Brien, A. O'Callaghan, C. Crowe, G. Flynn, P.J. Ryan, P. McMahon, M. McKee, R. Nagle, M. Hillery, P.J. Kelly, B. Chambers. (17)

**Against:** Cllrs. J. Flynn, M. Howard, P. Murphy, J. Cooney, P. Burke, J. Crowe, C. Curtin, B. Slattery, I. Lynch, G. Keating. (10)

Abstentions: Nil.

The resolution was deemed to be carried.

## **Correspondence.**

### **The following correspondence was circulated at the meeting:**

- Councillors Conference entitled “Charities – How bad media has affected them” being held in Bewley's Hotel, Newland's Cross, Clondalkin, Dublin 22 on 10<sup>th</sup> – 12<sup>th</sup> October, 2014.

The meeting then concluded.

**Signed:** \_\_\_\_\_  
**Riarthóir Cruinnithe**

**Signed:** \_\_\_\_\_  
**Cathaoirleach**

**Date:** \_\_\_\_\_