

**Minutes of the January Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 12<sup>th</sup> January, 2015 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. McMahan, M. McKee, C. Curtin, R. Nagle, B. Slattery, I. Lynch, 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. Niall Barrett, Head of Finance.
- Mr. Tom Tiernan, Senior Engineer.
- Mr. Paul Moroney, Senior Executive Engineer

The Cathaoirleach, Cllr. John Crowe presided.

**Vote of sympathy.**

At the outset Cllr. C. Curtin proposed that the meeting be adjourned for a period of 15 minutes as a mark of respect to the late Dr. Meadhbh Hillery, wife of the former late President Dr. Patrick Hillery.

This was seconded by Cllr. P. Daly and agreed by the members present. Councillors present paid tribute to the late Dr. Meadhbh Hillery who had resided for some time in Spanish Point. Sympathies were extended to her son John and extended family. The meeting re-convened at 4:05 p.m.

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

a. Ar moladh Cllr. P. Hayes  
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 8<sup>th</sup> December, 2014 be adopted and signed.”

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

“That the Minutes of the December Meeting of Clare County Council held on 8<sup>th</sup> December, 2014 be adopted and signed.”

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

“That the Minutes of the adjourned December Meeting of Clare County Council held on 10<sup>th</sup> December, 2014 be adopted and signed.”

**Item 2: Minutes of Municipal District Meetings.**

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

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

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

“That the Minutes of the Ennis Municipal District Meeting held on the 2<sup>nd</sup> December, 2014 be noted.”

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

The members noted the minutes of the meetings held on 1<sup>st</sup> December, 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 land at Clancy Park, Ennis.**

Report dated 15<sup>th</sup> December, 2014 from Leonard Cleary, Senior Executive Officer, Housing Services 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 Clancy Park, Ennis. The plot of land in question measures 0.0159 hectares.

Ar moladh Cllr. J. Flynn  
Cuidithe ag Cllr. M. Howard 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, of the disposal of an area of land measuring 0.0159 hectares adjacent to dwelling located at Clancy Park, Ennis and subject to the conditions as set out in the notice served on the members dated 15<sup>th</sup> December, 2014.”

**Item 5: Nominations to S.P.C.’s.**

The Meeting Administrator reported that there was no update available on this and that the Council is still awaiting nominations from a small number of bodies.

**Item 6: Monthly Management Report.**

The monthly management report attached to the agenda included key activities in the principal service areas and was noted by the members.

Cllr. G. Flynn raised a query with regard to storm damage in the Shannon area in particular the damage that was done to the embankments. The Chief Executive reported that the embankments are located on Airport lands and that a submission had been made to the O.P.W. on behalf of the Airport. He stated that the Department of Transport have raised a query regarding the application now that the Airport is a separate entity it may not be eligible for state aid. A response from the O.P.W. is still awaited.

**Item 7: Additional expenditure of €200,000 to be allocated evenly between the 4 Municipal Districts.**

Report dated 6<sup>th</sup> January, 2015 from Tom Coughlan, Chief Executive was circulated with the agenda. The report states that the budget for 2015 included provision for General Municipal Allocations for the four municipal districts amounting to €192,400 in total. The level of funding for the municipal districts has been further considered by the Corporate Policy Group at a recent meeting; and it is now proposed that a further once off allocation for 2015 be considered by the Council for each Municipal District in the amount of €50,000 each (€200,000 in total).

The meeting agreed to allocate a further €50,000 to each of the Municipal Districts on the basis outlined in the Chief Executives report.

**Item 8: Establishment of a friendship province relationship with Yunnan Province of the People’s Republic of China.**

Report dated 31<sup>st</sup> December, 2014 from Gerard Dollard, Director of Services was circulated with the agenda. The report states that at the March 2012 meeting of Clare County Council, Cllr. John Crowe submitted a Notice of Motion which was agreed at the meeting requesting that

“That Clare County Council in order to build on the success of China’s Vice President Xi Jinping recent visit to County Clare investigate the potential for setting up a twinning arrangement between the Shannon Region and the wider Clare area to foster the development of closer Industrial, Tourism, Farming, Educational and Cultural ties between our Region and China”.

Since the Council agreed this notice of motion, there has been ongoing contact through the Department of Foreign Affairs, the Chinese Embassy and Yunnan Province of the People’s Republic of China.

An invitation issued to the Council for a delegation to visit Yunnan Province in June 2014 but the Council was unable to accept the invitation due to the local election being held at that time. The Vice President of Yunnan Province, has indicated that Yunnan Province would now welcome a delegation from Clare County Council to visit Yunnan Province in April or May 2015.

Cllr. M. Begley proposed that a delegation from Clare would visit the Yunnan Province and proposed that the Cathaoirleach, the Chair of the Twinning Committee and one Elected Member from each of the Municipal Districts along with any other Council staff should attend. This proposal was seconded by Cllr. G. Keating and agreed by the members.

Cllr. P.J. Kelly reported that he was supportive of the visit but asked if specific targets had been set which should be achieved by the visit. Ger Dollard outlined the links already made with this region in China and their interest in the operation of the Shannon Free Zone along with the linkages that can be strengthened in terms of the Burren Geopark and the Geo Parks located in this area of China. He reported that the Cliffs of Moher are doing a lot of work in promoting the attraction in China which is a developing market.

Ger Dollard advised the meeting that an invitation had issued from the Twinning Committee based in Langenfeld, Germany who would like a group from Clare to visit and it has been agreed that Cllr. M. Howard, Cllr. J. Breen and Cllr. T. O’Brien will visit this area in Germany in April of this year.

**Item 9: Draft Waste Management Plan – Presentation at 2:30 p.m.**

The Leas Cathaoirleach, Cllr. T. O’Brien was in the Chair for this item. Ms. Philippa King from the Southern Region Waste Management Office in Limerick provided an overview and update on the current Draft Waste Management Plan for this region. This draft plan outlines a number of specific targets in terms of recycling to be achieved in the region in the coming years taking into account the changes in how refuse is managed going forward. The presentation outlined details of the consultation process undertaken to date including workshops held. Ms. King also provided details of the post draft consultation process, presently ongoing with a closing date for submissions being the 30<sup>th</sup> January, 2015.

A number of queries in relation to the current management of waste were raised and each were responded to by Ms. King. It was agreed that a copy of this presentation would be sent to all members following the meeting.

The Leas Cathaoirleach thanked Ms. King for her presentation.

**Item 10: Loans.**

Ar moladh Cllr. P.J. Kelly  
Cuidithe ag Cllrs. C. Curtin, G. Flynn agus J. Flynn agus glacadh leis

“That the following queries be responded to in writing

- (a) Total number of loans serviced by Clare County Council.
- (b) Remaining years left on each loan.
- (c) Total amount of loans.
- (d) Total cost of servicing loans.
- (e) Properties which are no longer required but which are still burdened by loans.”

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

“The Council loans can be categorised as mortgage related / voluntary housing related or non mortgage loans. At the end of December 2014 the total value of the non mortgage loans is circa €101m.

The total number of non - mortgage loans serviced by Clare County Council is 66. In determining this figure loans with different maturity dates have been treated as separate loans as have amounts that have been drawn down in different tranches and for specific projects.

Set out below are the details of the remaining number of years on non – mortgage loans only.

**Non Mortgage loans.**

*The following table outlines details of the remaining number of years on non-mortgage loans only.*

<b>No. of Loans</b>	<b>Remaining Years</b>
14	0- 5 years
18	6-10 Years
14	11- 15 years
6	16 -20 years
14	21 – 40 Years

The total cost of servicing the non mortgage loans for 2015 is approximately €7.9m.

All properties funded by loans are required by the Council in order to support future development as outlined in current Development / Area Plans, the Social Housing Strategy 2020, and other regulatory requirements.”

A number of queries were raised arising from the response that issued. The Chief Executive advised that each loan application must be first approved by the Council and then by the Minister. The Council is currently not in a position to change loan terms or seek any write offs and all loans subject to the Service Level Agreement in place with Irish Water are currently being paid by Clare County Council but all loan charges are being fully recouped from Irish Water.

**Item 11: County Museum Building.**

Ar moladh Cllr. B. Slattery  
Cuidithe ag Cllr. I. Lynch agus glacadh leis

“I am requesting the Chief Executive to furnish a report on what rent Clare County Council are receiving from Limerick Institute of Technology for the rooms they are renting over the Museum and if he is aware that the College is proposing to discontinue the courses on offer to students in Clare.”

**Michael McNamara, Senior Executive Officer, Corporate Services replied as follows:**

“The Council is aware that Limerick Institute of Technology (L.I.T.) are proposing to discontinue the Higher Certificate in Business Computing Course which has been available in Ennis for a number of years.

The matter was raised at a recent meeting of the Ennis Municipal District members and Dr. Maria Hinfelaar, President, L.I.T. has outlined to the Municipal District members the rationale behind the decision as follows:-

“The identical course is also offered as a C.A.O.- listed programme on our main campus in Limerick.

The genesis of the programme was under the Strategic Innovation Fund scheme which heavily subsidised some outreach provision offered in Clare by the Shannon Consortium (L.I.T., U.L. and M.I.C.). Once this funding dried up on 2009/10, the other Shannon Consortium partners decided to withdraw from the venture.

For a significant period of time, therefore, L.I.T. has carried the cost of renting premises, travel, equipment and administrative support required for managing a third level programme on its own, on top of the cost of delivering the full timetable of classes. The income in student contributions and State recurrent grant covers less than half of these costs. Given the relentless cutbacks in funding for higher education, which unfortunately will continue into 2015, it is no longer possible for L.I.T. to provide the programme and to resource it to acceptable quality standards. It will still run on the main campus in Limerick.

The cohort which started this year will be accommodated so the students can complete the second year of the programme in Ennis during 2015/16, and be awarded the Higher Certificate which will entitle them to progression on level 7 or level 8 courses in Limerick, as was the case with previous cohorts.

It is regrettable that L.I.T. has had to take this decision. However, I would like to point out that we have almost 2000 student from Clare enrolled on dozens of different programme on our Limerick campuses (including Business Computing), and that we work closely with the second-level system

and P.L.C./E.T.B. schools throughout Clare to ensure that our programmes meet their demand and there are good student pathways for learners with diverse backgrounds and age profiles. L.I.T. serves a primary catchment area throughout Limerick, Clare and Tipperary and will continue to do so.

We believe that the public transport and road infrastructure between Ennis and Limerick is adequate to service the needs of students from Clare who commute to L.I.T. If, however, there is more we can do to improve the connectivity in partnership with the stakeholders in Clare such as the Municipal District Authority then we are open to an exploration of this issue”.

A rental of €7,000 per annum was paid by L.I.T. to the Council for the use of the Museum building for the purpose of delivering the course in question.”

It was agreed to take up the matter again with L.I.T.

**Item 12: Water Rates.**

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

“That Clare County Council outline the criteria that they are using to charge water rates for householders who are using their home address for business purposes. Also, when Irish Water have installed new meters at some of these locations will these charges still be collected by the local authority?”

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

“Clare County Council is acting as an agent of Irish Water in the billing of non-domestic water and waste water charges. The nature of non-domestic premises varies quite a lot and can include houses used as the business address.

We are currently reviewing those properties where a house is used as a business address only and the customer states that there is not actual business activity on the site. Site inspections will be carried out in those cases and if it is considered that there is no actual business activity, then the premises will no longer be billed as non-domestic.

With regard to the new meters installed at some such locations by Irish Water, this has been queried with Irish Water as they should not have replaced water meters on non-domestic premises. It is understood that any meters installed by Irish Water will be billed by Irish Water only.”

**Item 13: Illegal dumping.**

Ar moladh Cllr. C. Colleran Molloy  
Cuidithe ag Cllrs. P. McMahon agus M. Hillery agus glacadh leis

“With respect to illegal dumping in County Clare, the following information is requested:

1. How many prosecutions were taken with respect to illegal dumping in years 2011/2012/2013/ and 2014 to date?
2. How many of these prosecutions ended in convictions?
3. What is the financial cost to the County of the clean-up efforts caused by the illegal dumping over the years indicated in response to (1) and (2)?
4. What is the financial cost to the County of the prosecution efforts caused by the illegal dumping over the years indicated in response to (1) and (2)?
5. Has the pattern of illegal dumping increased in recent times?
6. Is the pattern of illegal dumping identifiable as to on-going recurrence within certain geographic areas in the County? Is the pattern of illegal dumping evenly spread throughout the County?
7. When is the next County Litter Management Plan to be determined?"

**Anne Haugh, Director of Service replied as follows:**

“As a background to the reply here are some key statistics in relation to the Waste enforcement team and their work over the period 2011 to 2014. Figures for 2014 in this table are preliminary and have not yet been finalised.

**Waste Enforcement.**

*The following table outlines some key statistics in relation to the Waste enforcement team and their work over the period 2011 to 2014. Figures for 2014 in this table are preliminary and have not yet been finalised.*

<b>Year</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Staffing in Waste Enforcement</b>				
Technical (inc E.P.W.s)	6.2	5.7	6.7	6.7
Support	0	3	3	3
<b>Waste Complaints Investigated</b>				
Litter	81	103	55	77
Non Litter	580	607	812	1121
illegal Dumping Line	3	11	6	8
<b>Waste inspections</b>				
Routine Waste inspections	2679	2492	2904	2500
Non-routine waste inspections	711	634	828	Inc above



<b>Waste Enforcements</b>				
i.) Waste ‘warning letters’	55	52	126	83
ii.) Letters requesting proof of refuse service				108
iii.) Section 18 W.M.A. (info)	4	8	22	0
iv.) Section 55 W.M.A. (measures)	20	7	5	9
v.) Section 56 W.M.A.	0	0	0	0
vi.) Section 71 W.M.A. (abandoned. cars)	41	21	12	42
<b>Waste Prosecutions</b>				
i.) Section 18 W.M.A.	1	2	1	0
ii.) Section 55 W.M.A.	2	0	1	1
iii.) Section 32 W.M.A.	4	0	3	0
iv.) Section 34 W.M.A.	0	1	2	0
v.) Section 39 W.M.A.	3	0	2	0
vi.) Section 57/58 W.M.A. (Injunctions)	0	0	0	0
vii.) D.P.P. files/indictments	0	1	0	0
<b>Litter</b>				
i.) Litter Fines	65	94	54	75
ii.) Prosecutions under Litter Pollution Act 1997	3	7	5	8
ii.) Free passes to W.M. Facilities for clean-ups	86	102	91	82

In respect of the specific questions in the Notice of Motion the replies are as follows

1. In accordance with the table above the numbers of prosecutions were as follows 2011 – 3, 2012 – 7, 2013 – 5 and 2014 – 9. The figures for 2011, 2012 and 2013 comprise litter Pollution Act prosecutions only. The figures for 2014 include Litter Act prosecutions plus one under the Waste Management Act. Generally illegal dumping of waste and bagged waste leads to a Litter

Act prosecution. Prosecutions under the Waste Management Act comprise a number of headings including licences and permits, certificates of registration and large scale illegal dumps. There have been very few large scale illegal dumps in recent years. There were a total of 24 prosecutions over the period.

2. Of the total of 24 prosecutions 15 lead to a conviction.
3. The cost of running the Environment Waste Enforcement Section of Clare County Council was as follows –

In 2011 €441,032

In 2012 €475,550

In 2013 €409,122

To date for 2014 (not all expenditure yet included) €408,157

Of the total spent in the section 403,000 per annum is obtained in grant funding from the department of the environment under the enforcement grant. This amount of 403,000 was ring fenced until the end of 2014. We have been informed that the enforcement grant is likely to be cut in future years but we are not aware of how much it may be cut by yet.

It is difficult to separate the cost of a clean-up which is associated with a prosecution. In some instances waste is cleaned by our Environmental Patrol Wardens using their own resources, the costs of this are included in the costs above. In other cases if the illegal dumping is extensive then the cost is borne by the municipal district office who use their resources to clean it up, these costs are not included in the totals above. In both cases the waste is then brought to Ballyduffbeg, Lisdeen or Scarriff for disposal with municipal waste and the costs of this are not included in the cost above.

4. Legal costs –

In 2011 €5,894

In 2012 €3,907

In 2013 €1,585

To date for 2014 €1,770 (not all expenditure yet included)

5. Yes. There are many more instances of small quantities of waste being deposited around the county. For example, plastic shopping bags or bin bags full of refuse. Typically being thrown from vehicles or deposited in verges and laneways.

In Ennis and Shannon, deposition of household waste into street bins has increased. Out-of-hours patrols have failed to yield any prosecutions due to the sporadic nature of these offences to date. However we are investigating these offences continually.

6. There are certain areas which suffer more than others. But these offences typically occur over extended lengths of road or laneways. There is a greater incidence of illegal dumping immediately outside the main urban areas of the county.

The pattern of dumping is not, therefore, evenly spread throughout the county.

7. The County Litter Management Plan is due for renewal at present and will be put before the Environment and Transportation S.P.C. in 2015.”

It was agreed that Item 18, notice of motion submitted by Cllr. C. Colleran Molloy on the agenda could be dealt with under this items as it relates to the same subject.

**Item 18: Data Protection.**

Ar moladh Cllr. C. Colleran Molloy  
Cuidithe ag Cllr. J. Crowe agus glacadh leis

“I am calling on the Minister for the Environment, to seek clarification as to the specific provision or provisions of Section 2A of the Data Protection Act 1988 as amended in 2003, relied on by the Data Protection Commissioner in the Circular dated 1<sup>st</sup> July 2010, forbidding local authorities from “naming and shaming” by way of publication those fined or convicted under the Litter Pollution Acts 1997-2009, and to inform the Clare County Council accordingly.”

A number of queries were raised by members in connection with both matters to which Mr. Paul Moroney, Acting Senior Engineer advised of the following:

New bye-laws to come into force in the coming months will permit the Council to check what each household are doing with their waste and there will also be provision for increased powers in the cases of On the Spot Fines being issued.

Pay by weight will also become compulsory in June 2015 and each licensed waste collector will be obliged to provide a recycling service.

There are currently 3 Environmental Officers working within the county and a further vacancy arising from a recent retirement is due to be filled in the coming months, which will bring the total to 4.

**Item 14: Re-homing dogs.**

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

“That Clare County Council and Ennis Dog Pound consider publicising dogs for re-homing in the local print media.”

**Anne Haugh, Director of Service replied as follows:**

“When a dog is surrendered to the Ennis Dog Pound the previous owner is questioned in relation to behavioural issues and also in relation to the history of vaccinations etc. all with a view to deciding the capacity to have the dog re-homed.

The dog is then cleaned, photographed, given the appropriate description and both the photograph and description is uploaded onto the Ennis Dog Pound Facebook page. The Facebook page is

updated, on a daily basis, clearly indicating the status of each dog which is available to be re-homed. (The Pound has a throughput of approx. 18 dogs per week at present.)

Having discussed the matter of using local print media with the I.S.P.C.A. I should like to make the following points. When the Council wishes to advertise on local print media the deadline for such advertising is 9:30 a.m. on Friday for the Clare People, which is published each Tuesday and in the case of the Clare Champion the deadline is 9:30 a.m. on Tuesday with the paper published dated Friday but released on Thursday afternoon. This leaves a gap of a minimum of 3 days during which many of the dogs advertised may already be re-homed due to social media activity. So, if a member of the public sees a dog advertised in the print media and phones the Pound to arrange a visit, with a view to re-homing the dog, but then finds that the dog has already been re-homed there is an added element of disappointment and possibly confusion because of the use of social media side-by-side with print media. The social media option provides live information and as soon as the Pound re-homes a dog the Facebook page is immediately updated to show the new status associated with this particular dog. The I.S.P.C.A. has indicated that they would fear that using local print media might, in fact, result in the Pound getting bad publicity because of disappointment from being too late to re-home a dog seen advertised in the print media which they were too late to have an option to re-home. They also suggested that the cost of advertising, in the print media, might be better spent in helping to have dogs neutered/vaccinated.

During 2014 there were a substantial number of dogs re-homed (509 in 2014), from the Ennis Dog Pound. There was also a decrease in the number of dogs put-to-sleep (270 in 2014 as against 384 in 2013). Many rescues are, in co-operation with the I.S.P.C.A., helping to increase the numbers of dogs quickly re-homed. Also Dog Trust, who have their headquarters in Dublin, and who already take a substantial number of dogs from the Ennis Pound, are at an advanced stage of opening a depot in Galway which again will help contribute to an increased number of dogs being re-homed for the future.

Clare County Council and the I.S.P.C.A. also welcome suggestions, from individuals or groups which have merit in contributing to increasing the number of dogs re-homed as opposed to being put-to-sleep.”

**Item 15: Speed control signs on N68.**

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

“That the reason for recent speed control signs on N68 and service roads be detailed.”

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

“The reason for the introduction a no. of weeks ago of the temporary speed limit reduction in the vicinity of Knockalough Cross on the N68 relates to the fact that a depression has developed in the carriageway surface of the eastbound lane of the N68 300m. east of the junction with the R484 to Kilmihil. The depression was such that it was beginning to have a destabilising effect on some vehicles and it was considered that the most appropriate response would be to introduce a temporary speed limit reduction until appropriate repairs could be implemented. It is envisaged that the required repairs will be implemented within the next two weeks – following which the normal speed limit will be restored.”

**Item 16: Restoration of Clare Coastline.**

Cllr. Tom McNamara moved this motion in the absence of Cllr. M. Hillery.

Ar moladh Cllr. T. McNamara  
Cuidithe ag Cllr. P. Hayes agus glacadh leis

"That Clare Co. Council Management would give a progress report on the restoration of the Clare coastline following the January/February storms together with the financial expenditure in 2014 and the plans for repairs and erection of new coastal defence projects including costings planned for 2015."

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

"The following are the key points pertaining to the above:

- The total sum expended in 2014 in respect of emergency response clean-up, immediate necessary works implementation and repairs works was €5.845 m. – of which €608,000 was on the emergency response and clean-up in relation to the January storms, €779,000 was on the emergency response and clean-up following the February storms and the remainder (€4.458m.) was expended on the various repair projects implemented throughout the year.
- Of the sum expended on repairs (€4.458m.) €1.62m. was spent on coastal road remediation works, €1.7m. on coastal defence works, €307,000 on piers and harbours and the remainder on tourism infrastructure and various miscellaneous repairs.
- From a total of 43 impacted sites originally identified, 15 have been fully remediated while works were also carried out on all of the other 29 sites.
- A programme has been collated in relation to proposed expenditure of the remaining €1.748m. repair fund. This programme has been submitted to the Department of the Environment for its consideration. The proposed repair programme spans an 18 month period from the beginning of this year to mid 2016 and will facilitate works at a total of 24 locations – Aughinish Island, Ballyvaughan, New Quay, Fanore, Clahane, Shannon, Liscannor, Lahinch, White Strand (Miltown Malbay), Spanish Point, Quilty Village, Doughmore Beach, Rhynagonnaught, White Strand (Doonbeg), Kilkee, Kilbaha, Ballycar (Newmarket-on-Fergus), Rinvella, Kilcredaun, Querrin, Cappagh, Carrowdotia, Knock and Labasheeda. The programme envisages expenditure of approximately €10m. this year with the remaining €1.75m. to be carried forward to 2016.
- The appointment of a contractor to carry out the required remediation works in respect of the Strandline in Kilkee is imminent – with a view to having the project completed in advance of the 2015 tourist season.
- A separate strategy is being adopted in relation to sites which require enhancement or strengthening. Approval has already been sought from the O.P.W. to facilitate appointment of Consultants to carry out feasibility studies at Cloughaninchy, Clahane, Kilbaha and New Quay. An approval was confirmed in relation to Cloughaninchy, a Consultant has been appointed and the required studies are underway. A further 6 applications (in respect of Liscannor, Lahinch, Whitestrand (Miltown Malbay), Quilty

Village, Ross Bay and Doolin) will be submitted to the O.P.W. in the coming weeks. Proposed strengthening projects are to be considered by the O.P.W. on a case by case basis and approval will be required to carry on from one stage to the next.

- Separately, in the autumn of 2014, the Council examined and submitted 2 applications prepared on behalf of farming communities on the Atlantic and Estuary coastlines. Shortly before Christmas 2014 the O.P.W. responded in respect of both applications articulating a requirement that Cost Benefit Appraisal Reports be prepared and submitted. Both of the farming groups have been notified of this requirement. Once the Cost Benefit Appraisal Reports are submitted to the Council, they will be examined before forwarding to the O.P.W.”

**Item 17: Service provision in the County.**

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

“That, in recognition of the role of the Councillors as Primary Stakeholders in the provision of services in the County, the Chief Executive Officer circulate to each elected member details with supporting maps of the road mileage assigned to the Senior General Services Supervisors (including acting) in each Municipal District as previously requested and that he make arrangements to consult with the ELECTED MEMBERS IN THE MUNICIPAL DISTRICTS on the current and possible future staffing levels in the Water Services Division under the Service Level Agreement with Uisce Eireann.”

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

“Notwithstanding the fact that the precise mileage hasn’t yet been calculated in relation to each of the 13 General Service Supervisors Areas in the county, I can outline the position in relation to each Municipal District as follows:

**Municipal District of West Clare:** The total road length is 2,167 km. and the entire district is sub-divided among six Senior General Services Supervisors – implying an average of 361 km./G.S.S.:

- North-West Clare primarily based out of Ennistymon and with other sub-depots further north most notably Hillery’s Quarry between Lisdoonvarna and Ballyvaughan – 13 staff
- North Clare Central – centred around Inagh – 11 staff
- Central West Clare – centred around Miltown Malbay – 10 staff
- South Central West Clare – centred around Kilrush – 10 staff
- Loop Head Peninsula – centred around Kilkee – 9 staff
- Estuary Area – centred around Kildysart – 8 staff

**Municipal District of East Clare:** There are a total of 1,342 km. in the reconfigured East Clare and the area is sub-divided among 4 Senior General Services Supervisors - implying an average of 336km./G.S.S.:

- Crusheen to Galway Bay – centred around Crusheen – 9 staff

- North-East Clare – centred around Bodyke – 9 staff
- Central East Clare – centred around Tulla – 10 staff
- South-East Clare – centred around Clonlara – 9 staff.

**Municipal District of Ennis:** This area is similar in layout and extent to that which pertained prior to recent changes i.e. the boundary of the new Municipal District equates to a combination of the old Ennis East and Ennis West. The total road length is 454 km. and is under the supervision of 2 Senior General Services Supervisors – implying an average of 227km./G.S.S.:

- Ennis East – centred around Keevagh – 10 staff
- Ennis West – centred around Beechpark – 11 staff

Note that there is an additional crew mainly associated with Ennis town and whose primary responsibilities are street cleaning and other town matters – the total no. of staff in this crew is 15.

**Municipal District of Shannon:** There is just one Senior General Services Supervisor in the Shannon Area where the total length of road is 293 km. – centred around Shannon – 14 staff.

With regard to each of the foregoing, the reference “centred around” relates to the main base in each General Services Supervisors area. There are subsidiary bases in each area also which generally service parts of the General Services Supervisors area which are somewhat remote from the main base. When final maps and road lengths are determined in relation to each G.S.S. area, this information will be provided to relevant Municipal District Councillors – in the meantime, average road lengths (km./G.S.S.) are provided above.

The staffing and organisational arrangements necessary for the carrying out of the functions of the local authority are the responsibility of the Chief Executive as set out in Section 159 of the Local Government Act 2001.

Notwithstanding this the Chief Executive is mindful of the interests of members in operational matters affecting their respective Municipal Districts and will endeavour where possible to keep members advised of any definitive or significant changes to staffing levels in frontline services.

However members will also be aware of the sensitivities which are associated with matters of an H.R./I.R. nature and the necessity for consultation with employees and employee representatives which must take place prior to any proposed changes being implemented. In this regard, members were advised by way of a response to a notice of motion at the December meeting of discussions which are ongoing with staff interests in the Water Services section regarding the specific service delivery structures which might be required to facilitate the significant changes which have been brought about as a result of the change in the Council’s role in the water services industry from one of direct service provider to agent of Irish Water.

These discussions have not yet concluded so there is nothing further to be advised to the members in this regard at this point in time.”

Tom Coughlan, Chief Executive responded to some further queries raised by members during the discussion on this motion.

**Item 19: Wild Atlantic Way.**

Ar moladh Cllr. P. Murphy  
Cuidithe ag Cllr. M. Howard

“Wild Atlantic Way, I am proposing that Clare County Council actively pursue a meeting with Deputy Michael Ring in order to lobby for an alternative route to the current leg by ferry from Killimer to Tarbert. The proposed alternative route to follow the coastline of Counties Clare and Limerick.”

Cllr. I. Lynch expressed his opposition to this proposal on the basis that West Clare and the Loop Head area could be in danger of losing out on visitors if an alternative route was directing visitors towards Ennis and Limerick.

After some discussion which included a suggestion that the proposed alternative route could be submitted as an additional / optional route to Fáilte Ireland, no agreement could be reached on this matter and as there was not full attendance at the time of this discussion in order to bring the proposal to a vote it was agreed that this item would be brought before the February meeting.

As the time had now reached 6:30 p.m. the members present agreed to continue the meeting for the duration of 10 minutes until 6:40 p.m. with a view to concluding the agenda.

Arising from Item No. 19 the following was submitted to the meeting proposed by Cllr. A. O’Callaghan, seconded by Cllrs. P.J. Kelly, T. McNamara and J. Crowe and agreed by all present.

“Request Clare County Council to write to BBC England to invite their Top Gear programme to County Clare to drive the Wild Atlantic Way to help promote our beautiful coast line.”

**Item 20: Irish Sign Language.**

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

“In an effort to improve the lives and well being of our deaf and hard of hearing citizens, that this Council calls on the Government to give official recognition status to I.S.L. - Irish Sign Language.”

**Item 21: Heathrow Slots at Shannon Airport.**

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

“In view of the likely sale of Aer Lingus in the short to medium term, that Clare County Council call on the Government to include as a condition of the sale of its shareholding that the Heathrow slots be dedicated to Shannon permanently.”



**Item 22: Comhfhreagras.**

**Correspondence.**

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

1. Correspondence dated 19<sup>th</sup> December, 2014 from the Department of Communications, Energy and Natural Resources concerning the mandatory registration of SIM cards.
2. Correspondence dated 10<sup>th</sup> December, 2014 from the Office of the Minister for Social Protection regarding Community Employment (C.E.) policy on duration of participation.
3. Correspondence dated 4<sup>th</sup> December, 2014 from the Department of Communications, Energy and Natural Resources in relation to the National Broadband Scheme.
4. Correspondence dated 17<sup>th</sup> December, 2014 from Aer Lingus regarding the decision not to use Aer Lingus Shannon based cabin crew on flights to be operated by Omni Air.
5. Correspondence dated 19<sup>th</sup> December, 2014 from the Department of Communications, Energy and Natural Resources regarding rural post offices.
6. Correspondence dated 29<sup>th</sup> December, 2014 from the Department of Finance in relation to the ban on recruitment of local authority workers.
7. Correspondence dated 17<sup>th</sup> December, 2014 from the Office of the Taoiseach in relation to the reduction of quango's.
8. Correspondence dated 18<sup>th</sup> December, 2014 from the Department of Health concerning acute beds at University Hospital Limerick.
9. Correspondence dated 18<sup>th</sup> December, 2014 from the Department of Health concerning Accident & Emergency at Ennis General Hospital.
10. Correspondence dated 12<sup>th</sup> December, 2014 from the Office of the Minister for Education and Skills in relation to resource teaching hours.
11. Circular LG 26/2014 in relation to Local Government Act 1991 (Regional Assemblies) (Establishment) Order 2014.
12. Press Release from Southern & Eastern Regional Assembly entitled "EU approves the Southern and Eastern Regional Programme 2014-20".
13. Resolution from Donegal County Council regarding Irish Water.
14. Resolution from Kerry County Council in relation to the Social Welfare Bill.
15. Resolution from Tipperary County Council in relation to the upcoming Referendum on marriage equality.
16. Resolution from Carlow County Council in relation to legislation in order to regulate shops that give Cash for Gold.
17. Resolution from South Dublin County Council in relation to water charging.
18. Training seminar entitled "Tourism Technology & Competitive Strategies for 2015" being held in Clonakilty Hotel, Clonakilty, Co. Cork on 9<sup>th</sup> – 11<sup>th</sup> January, 2015.
19. Training Seminar entitled "The Finance Act 2014" being held in the Four Seasons Hotel, Carlingford, Co. Louth on 23<sup>rd</sup> – 25<sup>th</sup> January, 2015.

20. Training Seminar entitled “Governments Construction 2020 Strategy – Local Government Housing Supply” being held in White’s Hotel, Wexford on 6<sup>th</sup> – 8<sup>th</sup> February, 2015.
21. Community Planning Seminar entitled “Regenerating Local Spaces through Effective Community Planning” taking place in Dublin Castle on 26<sup>th</sup> February, 2015.

## **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.

### **Training Seminar entitled “Housing & Local Government” taking place in Lord Bagenal Hotel, Leighlinbridge, Co. Carlow on 5<sup>th</sup> & 6<sup>th</sup> December, 2014.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €445.35 including conference fee of €70.

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

### **Conference entitled “Ageing Well Ageing Positively” taking place in Seanad Chamber, Leinster House, Dublin 2 on 23<sup>rd</sup> January, 2015.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €406.62 including conference fee of €20.

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

The meeting then concluded.

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

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

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

**Minutes of Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 2<sup>nd</sup> February, 2015 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, P. Burke, A. O’Callaghan, C. Crowe, J. Crowe, G. Flynn, P.J. Ryan, P. McMahan, M. McKee, C. Curtin, R. Nagle, 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.

**Apologies:** Cllr. I. Lynch, Cllr. B. Slattery, Cllr. M. McKee.

The Cathaoirleach, Cllr. John Crowe presided.

At the outset, the Cathaoirleach advised the members that this meeting had been called on foot of the following request that he had received from Cllrs. C. Colleran Molloy, B. Chambers, P. Daly, C. Curtin, J. Cooney, P. McMahan and P. Hayes.

“We the undersigned members of the Clare County Council call on the Cathaoirleach of the Clare County Council to call an emergency/special meeting for Monday, 2<sup>nd</sup> February 2015 to discuss issues pertaining to the potential sale of Aer Lingus.”

The Cathaoirleach invited the members that had requested the meeting, to address the meeting and Cllrs. P. McMahan, C. Colleran Molloy, B. Chambers, P. Daly, C. Curtin, J. Cooney and P. Hayes each spoke and highlighted issues of concern that would arise in the event of a sale. They referred to the fact that connectivity to Heathrow Airport in London is vital for the region and arising from any proposed sale the retention on the current 3 slots which Aer Lingus holds from Shannon Airport are absolutely essential.

Several other members also addressed the Chamber outlining their concerns.

The members described Shannon Airport as the backbone of the region and outlined the importance of Heathrow and its connectivity to many parts of the world which are currently serviced by Aer Lingus. Any sale would also be detrimental to the region in terms of tourism and economic development. Reference was also made to the fact that a number of companies based in the Shannon Free Zone totally rely on the current level of connectivity from the airport.

The potential for job losses from Aer Lingus and its contractors was also referred to.

Members were of the view that current shareholders of Aer Lingus including the Government who have a 25.1% share need to carefully consider all aspects of the sale including the proposed sale price as Aer Lingus currently make significant profits each year aside from the value of their fleet and the airport slots. The view was also expressed that the Government should be influencing other shareholders of the negative implications on any proposed sale.

The Chief Executive addressed the meeting and advised that he spoke today as the Chief Executive of Clare County Council and not as a Board Member of the Shannon Group. He referred to the objective in the current County Development Plan to protect and promote the airport. He outlined that there are many risks associated with this proposal that need careful consideration that will not only affect Shannon but the entire West of Ireland. Any sale needs to safeguard the frequency of flights, the times and the routes. He advised that currently IAG are committing not to sell the Shannon to Heathrow slots for a 5 year period but it is likely to be up to 15 years before any further slots in Heathrow are ready to be offered to airlines following the completion of a new runway.

The Cathaoirleach proposed at this stage that there be a short adjournment for ten minutes so that all groupings could agree on the wording of a resolution from the meeting.

Members returned to the Chamber at 5:10 p.m. and the following resolution was read by the Meetings Administrator, Michael McNamara.

“That Clare County Council resolve to call on the Taoiseach, the Minister for Finance and the Government to:

- a. Unilaterally oppose the sale of Aer Lingus and retain its 25.1% share holding, and
- b. To unilaterally request Aer Lingus management to increase connectivity and levels of service to Shannon Airport for balanced regional development and on commercial grounds to grow market share for Aer Lingus.”

This was agreed by all present.

The meeting concluded at 5:15 p.m.

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

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

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