

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, 12th September, 2016 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, G. Flynn, P.J. Ryan, P. McMahon, M. McKee, C. Curtin, R. Nagle, I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Mr. Gerard Dollard, Director of Service.
- Mr. Liam Conneally, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A/Director of Service
- Mr. Tom Tiernan, Senior Engineer.

Apologies: Cllr. B. Slattery and Cllr. J. Crowe.

The Cathaoirleach, Cllr. Bill Chambers presided.

- The Cathaoirleach took the opportunity to welcome Mr. Pat Dowling on his first day as the new Chief Executive for Clare County Council.
- Mr. Pat Dowling expressed his delight at being appointed as Chief Executive in County Clare and that he was looking forward to working with Clare County Council. He also congratulated the Council on the great job done in hosting Fleadh Cheoil na hÉireann 2016.
- The Cathaoirleach also welcomed Mr. Liam Conneally who has recently joined Clare County Council as Director of Service, Housing and co-ordinator for the Killaloe Municipal District.
- This extended welcome was agreed by all present.

Votes of sympathy

A vote of sympathy was extended to the following:

- The Haran Family on the passing of Fursa Haran R.I.P., an employee in the County Library service.
- The Spellissy Family on the passing of Michael Spellissey R.I.P., an employee in the Ennis Municipal District.

Prayers were recited for the deceased.

A number of members joined in an expression of support regarding the search for a missing person in Kilkee.

The meeting agreed to an adjournment of 15 minutes as a mark of respect to the deceased staff members.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. M. Hillery
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the Minutes of the July Meeting of Clare County Council held on 11th July, 2016 be adopted and signed.”

Cllr. M. Hillery had asked for further information in relation to his motion on Housing Grants which he has now received and he thanked Mr. Cleary for the reply in relation to same. It was agreed that the reply received be circulated to all members.

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

“That the Minutes of the Special Meeting of Clare County Council held on 14th July, 2016 be adopted and signed.”

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

“That the Minutes of the Special Meeting of Clare County Council held on 25th July, 2016 be adopted and signed.”

Cllr. J. Flynn asked that it be recorded on the minutes that he left the room for the discussions during the above meeting.

Cllr. C. Curtin requested an update on the recruitment of staff for the re-opening of the Print Room. The Meetings Administrator advised the members that the recruitment process is due to commence shortly and it is hoped that it will be advertised by the end of September.

Item 2: Minutes of Municipal District Meetings.

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

“That the Minutes of the West Clare Municipal District Meeting held on the 3rd May, 2016 be noted.”

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

“That the Minutes of the West Clare Municipal District Meeting held on the 9th May, 2016 be noted.”

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

“That the Minutes of the West Clare Municipal District A.G.M. held on the 21st June, 2016 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 10th May, 2016 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 2nd June, 2016 be noted.”

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

“That the Minutes of the Shannon Municipal District A.G.M. held on the 28th June, 2016 be noted.”

g. Ar moladh Cllr. P. Burke
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 18th May, 2016 be noted.”

h. Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

“That the Minutes of the Killaloe Municipal District A.G.M. held on the 27th June, 2016 be noted.”

i. Ar moladh Cllr. A. Norton
Cuidithe ag Cllr. T. McNamara agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 5th July, 2016 be noted.”

Item 3: Minutes of the Corporate Policy Group Meetings.

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

“That the Minutes of the C.P.G. Meeting held on the 4th July, 2016 be noted.”

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

“That the Minutes of the C.P.G. Meeting held on the 25th July, 2016 be noted.”

Item 4: Monthly Management Report.

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

G. Dollard, Director of Service responded to queries raised by Cllr. I. Lynch regarding an ongoing Judicial Review in relation to a Taking in Charge issue and advised that an update on this issue would come before the West Clare Municipal District in due course for the approval of the members.

It was noted by Cllr. J. Flynn that the presentations at Clare County Council Homelessness Unit has greatly reduced. He also complimented the ongoing work by all those involved in the Tourism, Arts and Library Services.

Cllr. P. Hayes expressed his disappointment at the continuing boil notice on the Turlough Water Supply serving Belharbour, New Quay, Finavarra and Aughinish. He asked that a sense of urgency be applied to resolve the issues. He also asked for an update on storm damage from early 2014 which has not yet been addressed.

Cllr. C. Curtin queried the allocations for the Rural Water Programme which is well short of what the Rural Water Committee recommended. He asked if this could be placed on the Agenda for a future meeting of that committee.

Tom Tiernan, Senior Engineer responded to all queries raised by the members with regard to the current boil notice, flooding, storm damage and also gave the current position of each of the Storm Damage Remediation Projects currently underway.

Cllr. C. Crowe raised the issue of the progression of the Limerick Northern Distributor Road Phase 2. He asked that this be addressed by the Chief Executive in order to progress this project which straddles two local authority areas. In response to this the Chief Executive addressed the members stating that he considers this road

to be of critical importance and undertook to try to progress these matters with his counterpart in Limerick City & County Council.

Item 5: Set date for meeting to consider Local Property Tax 2017.

It was proposed by Cllr. M. Hillery, seconded by Cllr. A. O’Callaghan and agreed by all members present that this meeting would take place at 3:45 p.m. on Monday, 19th September, 2016.

Item 6: Adoption of the Draft Polling Scheme for County Clare.

Report dated 24th August, 2016 from Carmel Greene, Senior Executive Officer, Corporate Services was circulated with the agenda.

The report states that the Draft Polling Scheme was circulated to each Returning Officer, each member of Dáil Éireann for the Constituencies of Clare and Limerick City (Part of) and also each elected member of the Council. The report confirms that no submissions or observations were received while the draft scheme was on public display. The report adds that previously the Minister for Housing, Planning, Community and Local Government had to approve the polling scheme for each county but that this is no longer the case and that final adoption of the scheme is now a matter for the Elected Members.

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

“That Clare County Council pursuant to the provisions of Section 28 of the Electoral Act 1992 as amended by Section 12 of the Electoral (Amendment) Act 2001 hereby adopts Polling Scheme 2016”.

Cllr. C. Crowe noted that a lot of the electorate in his area and within the Shannon Municipal District are required to vote in the Constituency of Limerick City. He acknowledges that while this is outside of our control he would like it to be looked at in the future.

Item 7: Town & Village Renewal Scheme.

Report dated 6th September, 2016 from Gerard Dollard, Director of Service was circulated with the agenda. The report states that the Council has recently been advised of a Town and Village Renewal Scheme under the auspices of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. It was noted that an allocation of €380,000 has been made in respect of Co. Clare.

There was a discussion by the members on how best to allocate the amount of €380,000 between each of the Municipal Districts. All members welcomed this funding but also expressed the view that the timeframe was very tight within which to have the project selected and the money spent. It was also suggested by some of the members that this funding could be used to progress the RED zones (Rural Economic Development Zones). Cllr. P. Daly further advised the meeting that Ennis Municipal District has agreed to use their portion of the funding for a new People’s Park in Clarecastle.

The Chief Executive, P. Dowling, in response to a number of queries raised, acknowledged that the timeframe was tight and that it forced the Council to be re-

active rather than pro-active. He assured the members that it is his intention to plan now for next year in order to avoid a similar situation arising again.

G. Dollard, Director of Services also addressed the meeting. He clarified that this funding could not be used for RED zones but rather the focus of this funding was intended only for towns and villages. He recommended that the funding of €380,000 be divided equally between each of the Municipal Districts, thus giving them each €95,000 to spend on their individual project.

The members agreed and will discuss this issue further as early as possible at Municipal District level and each Municipal District would come back with one project suitable for this funding. It was acknowledged that Ennis Municipal District had already selected their project for Clarecastle.

Item 8: Financial report for half year to 30th June, 2016.

Financial Report for half year to 30th June, 2016 was circulated with the agenda. The report set out a financial review of the Council's income and expenditure account for the first six months of 2016, together with an overview of the activity on capital projects in the same period. The members noted the report as presented.

Item 9: Approval to the raising of a loan for Shared Ownership Loans.

Report dated 2nd September, 2016 from Liam Conneally, Director of Housing Services was circulated with the agenda. The report referred to the Shared Ownership Scheme and to new arrangements recently introduced for borrowers to enable them to buy out the Council's equity in dwellings purchased under the Scheme. The value of the Council's equity currently stands at circa €5,000,000. Based on the predicted level of activity in this area for the coming year, the Council will be required to borrow from the Housing Finance Agency to fund these new arrangements. Funding is also required for the issuing of Annuity House Purchase Loans. The total estimated requirement is €8,000,000 for the above, however drawdowns will only be made as the need arises.

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

“That this Council hereby approves the raising of a loan of €8,000,000 (under the Local Government (No. 2) Act, 1960) from the Housing Finance Agency to facilitate the issue of loans to borrowers to buy out the Council's equity under the Shared Ownership Scheme and also to facilitate the drawdown of funds for Annuity House Purchase Loans”

Item 10: O.P.W./Jacobs presentation on Draft Flood Risk Management Plan at 2:00 p.m.

Mr. Mark Adamson of the O.P.W. attended at 2:00 p.m. prior to the Council meeting and briefed the members on the Draft Flood Risk Management Plan. A question and answers segment followed. The members posed questions in relation to the drainage by the River Fergus and what proposals there are to improve this, particularly as the Fergus Drainage Committee has been disbanded. Mr. Adamson replied to all queries posed. He asked that details of the situation in Ballycar should be notified to the O.P.W. under the consultation process. He also asked that the Council make their submission within the timeframes set out.

Item 11: Civic Reception for Tulla Pipe Band at 6:45 p.m.

It was unanimously agreed by the members to adjourn this Reception. The Civic Reception for the Tulla Pipe Band will now take place after the October Council Meeting on 10th October, 2016 at 6:45 p.m.

Adjournment of meeting.

At 5:30 p.m. the Meetings Administrator received the sad news of the tragic passing of a Council employee in active duty whilst attending at the search and rescue of a missing person off the coast of Kilkee. Two other members of the Coast Guard were in danger, one of whom was an employee of the Council. On direction of the Cathaoirleach, the following statement was read out by her:

“In view of the tragedy at Kilkee this afternoon involving members of the emergency services who are also staff of the Council it is proposed to adjourn this meeting to Monday next 19th September, 2016 at 5:00 p.m.

This was agreed by the members.

All remaining items (Item 12 – 30 inclusive) are to be dealt with at the adjourned meeting. The meeting then concluded.

Item 30. Comhfhreagras.

Correspondence.

The following correspondence was circulated at the meeting:

- Correspondence from Carmel Greene, Senior Executive Officer, Corporate Services regarding Public Consultation on the First Review of the operation of the Regulation of Lobbying Act 2015.

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, 19th September, 2016 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, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Mr. Gerard Dollard, Director of Service.
- Ms. Anne Haugh, Director of Service.
- Mr. Liam Conneally, Director of Service.
- Mr. Tom Tiernan, Senior Engineer.

The Cathaoirleach, Cllr. Bill Chambers presided.

Adjournment of Meeting

At the outset it was proposed by Cllr. B. Slattery and seconded by Cllr. M. McKee that there would be a 15 minute adjournment as a mark of respect for council employee, Ms. Caitríona Lucas R.I.P, Ennistymon Library, who tragically lost her life whilst on active duty with the Doolin Coast Guard attending at the search and rescue of a missing person off the coast of Kilkee.

The meeting agreed to an adjournment of 15 minutes as a mark of respect for Ms. Lucas.

Prayers were recited.

On resumption of the meeting it was decided by the members to take Item No. 23 on the Agenda first.

Item 23: Hedge cutting.

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

“That Clare County Council make compulsory that all road side hedges are cut at least once a year and increase the funds for the community hedge cutting scheme to encourage land owners to carry out same in the interest of road safety.”

Tom Tiernan, Senior Engineer, Transportation replied as follows:

“It is already compulsory that landowners maintain and manage their roadside hedgerows such that neither the functionality or safety of the adjacent public roads are

compromised in any way. To require that hedgecutting be carried out at least once a year to all roadside hedges may be over-zealous in some situations where less attention may be adequate. Also such a requirement would, if it were to be implemented, require more policing and enforcement resources than would perhaps be necessary to achieve the primary objectives in terms of road safety and functionality.

The key message highlighted through the Community Hedgecutting Scheme which is now in its 4th year has been in relation to the responsibility of landowners and I think that the vast majority of landowners are now very clear regarding their responsibilities in this regard. The Community Hedgecutting Scheme has been successful in that its uptake has gradually been increasing year on year and the proportion of landowners who have acknowledged and taken on the responsibility to maintain and manage their roadside hedgerows has also been increasing steadily. Also individual grant level has doubled since the initiation of the scheme and at €50 per km is I feel reasonable. In addition the allocation which has been made available by the Council for the grant scheme year on year since 2013 hasn't been over-expended to date and, therefore, there doesn't appear to be a need to increase the funds for same.

The Community Hedgecutting Scheme has since its introduction in 2013 been intended as a means of making landowners aware of their responsibilities and an encouragement to them to actively take on that responsibility on the ground. I think that both objectives have been achieved and in particular significantly increased numbers of landowners are now maintaining and managing their own roadside hedgerows. It is reasonable to assume that most of those who haven't been persuaded to do the right thing up to now aren't open to persuasion and as a result more stringent enforcement in accordance with Section 70 of the 1993 Roads Act is to apply going forward. It is unfair to landowners who have taken on their responsibilities in accordance with the requirements of the law that those who don't adhere to their responsibilities in this regard should be allowed to continue as such. Therefore, with immediate effect, there will be a gradual increase in the extent of Section 70 enforcement – less of the carrot and more of the stick – with a view to development of an appropriate roadside hedge management culture among landowners in the county going forward.”

There was a discussion by the members and most agreed with the sentiment of this motion, however, it was agreed that it is something that would prove very expensive for farmers and would be very hard to enforce. It was agreed, however, to write to the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Heather Humphreys T.D. to ask for the month of August to be opened up for hedgecutting.

Cllr. C. Curtin queried whether a recent High Court Case involving a school bus crash in Meath has placed the obligation on local authorities to maintain and cut hedges along school bus routes.

Item 12: Aviation in Shannon.

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

“That Clare County Council and the Shannon Group consider being involved in a project to erect a suitable memorial to those who lost their lives in the early years of aviation in Shannon”.

Gerard Dollard, Director of Service replied as follows:

“In the event that the Council adopts the above motion, the Council is happy to engage with the Shannon Group regarding the potential delivery of the proposal outlined in the motion.”

Cllr. P. McMahon gave a brief synopsis of the various aircraft that were involved in fatal accidents at Shannon Airport in the forties most notably the crash on the 28th December, 1946 of the TWA Constellation aircraft “Star of Cairo” when it plunged into Inishmacnaughtan, an island on the outskirts of the airport. He further advised the members that there are 3 boxes of material in the Missouri University in New Zealand for research purposes which would be of benefit to such a project.

Item 13: Shop Mobility Scheme.

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

“To ask Clare County Council to explore the possibility of introducing a shop mobility scheme which is a scheme, whereby battery powered scooters and chairs as well as manual wheelchairs are made available to people who have limited mobility permanent or temporary, regardless of age or disability and who wish to use the facility for shopping or just visiting.”

Betty Devanny, Administrative Officer replied as follows:

“Shop Mobility is a scheme which lends manual wheelchairs, power wheeled chairs and power scooters to members of the public with limited mobility to shop and to visit leisure and commercial facilities within a town, city or shopping centre. The concept of Shop Mobility is for anyone, young or old, whether their disability is temporary or permanent. Shop Mobility schemes actively encourage inclusion and equality by providing wheelchairs, power chairs and power scooters for people to use.

The Shop Mobility scheme in Ireland is operated under the auspices of the Disabled Drivers Association of Ireland. It currently applies in a number of shopping centres including centres in Cork, Dublin and Kildare. It would appear that the Shop Mobility service is confined to shopping centres only.

The Shop Mobility service is a free service primarily due to funding from the Disabled Drivers Association of Ireland and with the support of the shopping centres.

The Council is happy to engage with the Disabled Drivers Association of Ireland with a view to creating a “match” between a local shopping centre in County Clare so that the Shop Mobility scheme could be applied, perhaps initially on a pilot basis, in the county.”

It was noted by the members that in order for people to be able to use battery powered scooters and chairs as well as manual wheelchairs on the streets of Ennis firstly there needs to be work done on the streetscape of the town . Some members requested that the idea of pedestrianisation be revisited again.

The Chief Executive, P. Dowling, in response advised the members that he will re-open the debate on pedestrianisation of the streets of Ennis.

Item 14: Planning levies.

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

“That, with a view to addressing the recently published population decline within the County, a reducing scale of Section 48 Planning levies be approved to encourage development in areas worst affected.”

Gerard Dollard, Director of Service replied as follows:

“The contributions collected over the lifetime of a Development Contribution Scheme are used by Clare County Council to fund the essential physical and social infrastructure that support development in Clare enabling the Council to provide funding for infrastructure and amenities such as roads, libraries, open spaces and playgrounds.

The existing Clare County Council Development Contribution Scheme - amended in 2013 to reflect the changes in economic circumstances and encourage economic development - remains in force until 2017.

Whilst the Planning Authority supports and concurs with the overall objective as expressed in the Notice of Motion to encourage development in areas of depopulation, a review and comparison of the existing contribution scheme with other Local Authorities indicates that when the levies under Irish Water are removed, Clare’s levies are already significantly less than those of other Authorities.

Development contributions

The following table outlines development contribution per dwelling house.

Contribution per Dwelling house				
Clare	Kilkenny	Offaly	Tipperary	Waterford
€2,002	€3,600	€3,000	€6,200	€5,000

The following table outlines rates per square meter for Commercial Development.

Rates per square meter for Commercial Development				
Clare	Kilkenny	Offaly	Tipperary	Waterford
€8	€25	€14	€22	€18

Presently, preparatory work for a Draft Clare County Development Contribution Scheme 2017-2023 is underway and will be progressed through the Planning and Housing S.P.C. and subject to agreement, going on public display and being adopted by the Elected Members in early-2017. The anticipated timeline for this is as follows:

- Prepare draft scheme (end October)
- November S.P.C. meeting – discussion
- Finalise draft scheme

Public Consultation (mid-November 2016 – mid-January 2017)

- Prepare Chief Executives Report on Submissions and submit to Elected Members (mid-February 2017)
- Elected Members to consider Draft and adopt (March / April Council Meeting)

The new scheme will be framed in the context of the emerging 2016 Census population figures, the abolition of the Kilrush and Ennis Town Councils and their associated schemes and the establishment of Irish Water. Moreover, the new Contribution scheme will be aligned with the new Clare County Development Plan 2017-2023, a goal of which is to provide for strong and balanced urban and rural areas and to promote and enhance economic development opportunities throughout the county.”

The members discussed this issue at length and there was great support for this motion. It was acknowledged by all the members that the West of Ireland needs new and permanent investment stating that action needs to be taken to address the issue of rural decline that exists along the west coast in the modern era.

G. Dollard, Director of Service further advised the members that the Statutory Scheme is due for review and that the Draft Clare County Development Contribution Scheme 2017-2023 will be before the members by the end of 2016. P. Dowling, Chief Executive affirmed that the decline in population of County Clare is not a modern issue. There is a need to target specific resources to halt the decline of population in certain areas. He assured the members that this issue would be discussed again.

Item 15: Corporate Policy Group.

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllrs. C. Curtin agus P.J. Kelly agus glacadh leis

“In the interest of Corporate Governance that Clare County Council consider expanding the competence and membership of the C.P.G. by co-opting from Chambers of Commerce and other business organisations, three representatives to the Council’s C.P.G. (Corporate Policy Committee). As ratepayers pay between 40-50% of the Council’s income and I understand under statute that up to 3 members with financial competence (e.g. 1 retail, 1 SME, 1 Industrial) can be co-opted”.

Carmel Greene, Senior Executive Officer, Corporate Services replied as follows:

“Section 133 (4) (a) of the Local Government Act, 2001 provides as follows:

“(4) (a) The manager shall consult the policy group in the preparation of the local authority's draft budget and the policy group may for that purpose avail of the assistance of not more than 3 additional persons, who are not members of the authority.

(b) The additional persons referred to in *paragraph (a)* shall be persons who in the opinion of the policy group have financial, organisational or other knowledge or experience likely to be of special relevance to the policy group's consideration of the authority's draft budget.”

The legislation does not provide for additional persons to be co-opted on to the Corporate Policy Group but the C.P.G. can “avail of the assistance” of the additional persons.

There is, therefore, no provision in the Local Government Acts to extend the membership of the C.P.G. The matter of engaging additional assistance is confined to budget preparation and is a matter solely for the C.P.G. to consider.”

The members discussed this motion at length. The majority of the members spoke out against the motion and felt that the competence of the Corporate Policy Group was being undermined and that the motion could not be supported. There was a general consensus that the C.P.G. are doing a great job and that there is plenty of experience and expertise on the committee. The Chief Executive in response to this reminded the members that the Strategic Policy Committees include external representatives from the different sectors and all chairs of the S.P.C.'s sit on the C.P.G., thus bringing their expertise to the C.P.G.

It was concluded therefore, that this motion be defeated.

In response, Cllr. Flynn stated that he had not intended to question the competence of the C.P.G. and accepted the statement by the Chief Executive on the role of the external representatives on the S.P.C.

It was agreed by the members that the Standing Orders would be suspended in order to extend the meeting to 7:00 p.m. As there was one half of the Members of the whole Council present this was proposed by Cllr. G. Flynn and seconded by Cllr. C. Crowe.

Item 16: Climate Change Adaptation S.P.C.

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

“That Clare County Council consider the establishment of a Climate Change Adaptation S.P.C. in order to address, inter alia, objectives of the County Development Plan, the requirement to produce a climate change adaptation strategy for Clare under national guidelines, the coastal, estuarial and river basin nature of the county, etc.”

Anne Haugh, Director of Services replied as follows:

“The proposal for a separate S.P.C. to address Climate Change was put forward earlier this year by the Housing S.P.C. and was subsequently brought to the attention of the Department of Environment, Community and Local Government during the

consultation phase for the development of a National Climate Change Adaptation Framework.

In May of this year, the Minister for Communications, Energy and Natural Resources launched the “*Local Authority Adaptation Strategy Development Guidelines*” which have been developed by the E.P.A.

The Guidelines set out the recommended steps to be taken by local authorities in developing local adaptation strategies, the first of which is to convene an adaptation team within each local authority with representation drawn from a recommended list of disciplines, skillsets and departments within the local authority. Training and awareness on Climate Change is currently being rolled out regionally for members of adaptation teams with a view to commencing work on the development of the strategies shortly after. Clare County Council is currently in the process of identifying the relevant and key staff members who will participate on the local Adaptation Team and who will receive the appropriate training.

The next important step following the establishment of the adaptation team is the development of a Stakeholder Engagement and Communication Plan which will be aimed at ensuring a structured programme of engagement with all stakeholders including public representatives, the local community, relevant non-governmental organisations and state sector bodies. The Guidelines have identified this step towards garnering public support and local knowledge as crucial to the successful implementation of adaptation measures.

It is intended that Climate Change will become a standing item on the agenda for the Environment and Transportation S.P.C. once the Adaptation Team have commenced work on the strategy and all members will be advised of opportunities to contribute to or participate in the development of the strategy.”

Item 17: Speed limit in housing estates.

Ar moladh Cllr. C. Colleran Molloy
Cuidithe ag Cllr. M. Howard agus glacadh leis

“That Clare County Council

- (i) indicate measures implemented to date to enforce a mandatory 30km speed limit in housing estates in County Clare;
- (ii) adopt initiatives akin to the "life-size child stickers images" placed on garbage bins as enforced by the Roads Section of Mayo County Council.”

Tom Tiernan, Senior Engineer, Transportation replied as follows:

“With regard to No. 1 above, the primary measure implemented by the Council involved the instigation of a pilot scheme in more than 60 housing estates throughout the county (mostly in Shannon). This involved the erection of 30 km/hr speed limit signage at the entrance to these estates following on from the carrying out of speed surveys in many of them. Further surveys were carried out some time after the erection of the signage and these surveys are ongoing. Initial indications are that the change of speed limit in these situations has made little or no difference in terms of

the speed of vehicles in the estates. It's important to point out that no firm conclusions have been reached in this regard to date and the forthcoming public consultation period in relation to the presently ongoing speed limit review may assist in determining the most appropriate way forward.

With regard to No. 2 above, we have been in touch with Mayo County Council in relation to the stickers on bins initiative which I understand was implemented earlier in the summer. Notwithstanding the fact that there isn't any hard evidence to suggest the success or otherwise of this initiative, we would be happy to facilitate a pilot scheme in a housing estate to be selected in this county."

The members fully supported this motion. It was decided that one housing estate would be selected from each of the four Municipal Districts and thus the above pilot scheme would be rolled out to 4 housing estates in the county.

Item 18: Street lights.

Ar moladh Cllr. C. Crowe
Cuidithe ag Cllr. A. O'Callaghan agus glacadh leis

"That Clare County Council provide SSE Airtricity Solutions with a comprehensive list of all public street lights in the Council's charge so that faults can be more accurately reported."

Tom Tiernan, Senior Engineer, Transportation replied as follows:

"When SSE Airtricity Solutions were engaged by Clare County Council on contract to look after the entire schedule of public lighting in the county it was provided with a full inventory of all lights. While there would have been some minor inaccuracies in the inventory in terms of total light numbers at some locations, the overall picture provided was well over 95% accurate. Among the responsibilities of the contractor under the contract was a requirement to update the inventory and to incorporate within same significantly more detail in relation to each unit of lighting infrastructure than was available heretofore. This work is now more than 80% completed and will serve to become part of a national inventory of public lighting which in turn is required to develop a strategy to facilitate Public Service responsibility to reduce its carbon footprint by 33% by 2020. Needless to say, the new updated inventory, when completed within the next couple of months, will be of significant benefit within the county also in terms of management, maintenance and upgrading the public lighting asset."

Cllr. G. Flynn advised the meeting that Shannon Municipal District were due to debate the Airtricity Contract on Tuesday morning 20th September.

Item 19: Safety of roads in County Clare.

"I believe that Health and Safety is not up to an acceptable standard in relation to the safety of roads in Co. Clare, therefore I am requesting the Health and Safety Officer attend the October Meeting of this Council to answer questions in this regard."

Cllr. J. Breen withdrew this motion. He asked that Ms. A. Haugh, Director of Service be requested to provide a report on the powers and duties of the Road Safety Officer for the next meeting.

Item 20: Road Drainage Programme.

Ar moladh Cllr. P.J. Ryan

Cuidithe ag Cllr. M. Begley agus glacadh leis

“That this Council would put in place a road drainage programme over the next couple of years as flooding is causing serious problems for land owners and roadside properties.”

Tom Tiernan, Senior Engineer, Transportation replied as follows:

“I note that the notice of motion refers to both “drainage” and “flooding” and therefore I take it that this is a reference to both the day-to-day road drainage issues which arise and the more extreme situations which arise less frequently such as in December of 2015.

Road drainage is an extremely important factor in terms of retention of integrity of the road function and the road structure. In the first instance, there is the requirement for roads to be free draining as is facilitated by adequate camber, cross fall etc. – this needs to be upgraded through restoration/strengthening and sealing periodically. Unfortunately current funding levels don’t go anywhere close to facilitating this to the degree necessary. Secondly, there is the question of where the surface water can outfall to – the natural and artificial drainage systems which need to be maintained by various bodies or individuals depending on where they are and how they fit into the various legislation based drainage structures.

The more extreme situations can be a product of a variety of situations – incapacity of drainage facilities to cope with extreme situations, lack of maintenance/resources in relation to drainage districts, lack of maintenance of privately owned natural drains and so on.

The Council places a significant emphasis on dealing with roadside drainage requirements insofar as it has resources to do so – particularly through the winter period. However, this isn’t adequate in terms of overall road drainage needs and rectification of this situation is dependent on significantly more resources being made available for the purpose. Councillors are aware of my constantly highlighting the need for increased funding – both in Department of Transport and Own Resources contexts – the latter being critical in terms of day to day drainage maintenance requirements.

Notwithstanding the foregoing, and on foot of a notice of motion put down by Councillor Hayes at the June, 2016 meeting of the Council, a multi-agency meeting is being arranged to consider the development of a structured approach to dealing with the issues referred to in this notice of motion. At present, information is being collated with particular reference to the more extreme situations with a view to quantifying the nature and extent of flooding and drainage problems around the county and assisting the aforementioned multi-agency group with its deliberations. The meeting is likely to proceed in early to mid October.”

Item 21: Public water supplies.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That the Council, as agents of Irish Water and providers of a Service Level Agreements to the same body, provide an up-date on the ongoing disruption and outages of the public water supplies (locations and causes) in the Municipal Districts of the County, particularly during the past 6 months and the programme of remedial measures (short-term and long-term) to prevent re-occurrence.”

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

“Irish Water’s management system for water outages divides them into the categories Planned and Unplanned.

- Planned outages entail supply having to be interrupted, or likely to be affected, due to essential planned works – e.g. flushing of mains, upgrading of pumps, installation of new valves, maintenance of reservoirs.
- Unplanned outages are due to unforeseen emergency works, most often burst mains.

As an agent of Irish Water, Clare County Council responds to outages in essentially the same way as before Irish Water became the legally responsible authority. The Council has to comply with a number of key performance indicators (K.P.I.s) specified in the 2016 Annual Service Plan, relating to response to bursts, notification of both categories of outages, and provision of alternative supply where outages last more than 24 hours. The Council is measured monthly on performance under these K.P.I.s.

Water Outages

The following table outlines the significant outages in 6 months March to August 2016:

Month	Planned outages	Unplanned outages
March	Mains flushing Lahinch, Kilkee, Doolin	Bursts at Westfields (Ennis), Cratloe, Griffin’s Cross (Parteen), Killard (Doonbeg), Lahinch
	Filling of Ardataggle reservoir, Bridgetown	Reservoir problem Kildysart
		Power outage 11th to 12th March affecting supply in Ennistymon, Lahinch, Lisdoonvarna, Doolin, and other areas in North Clare

April	Mains flushing Spanish Point	Bursts at Shannon, Sixmilebridge, Cratloe, Killard (Doonbeg), Cree, White Strand & Barrtra, Kilkee town, Moveen (affecting Loop Head peninsula), Doonmore (Doonbeg)
	Connections for Ennis mains rehab Works at Moveen reservoir, Kilkee Pump upgrade Cratloe	
May	Connections for Ennis mains rehab	Bursts at Ennistymon, Killaloe, Clonlara, Parteen, Ballyvaughan, Cooraclare, Crosses of Annagh, Ballinalacken/Oughtdarra (Lisdoonvarna)
		Discoloration in W Clare supply west of Blackweir Bridge (affecting Kilkee & Loop head peninsula)
June	Mains flushing Spanish Point & Liscannor Connections for Ennis mains rehab Mains laying Ennistymon Water conservation works Kilfenora	Bursts at Ennis, Cratloe, Parteen, Clonlara, Lahinch, Shannon, Kilkee, Tullabrack (Cooraclare) Loss of supply O'Callaghan's Mills & Tulla Temp reduction in production at New Doolough plant
July	Mains flushing Cree Mains laying Ennistymon Mains laying Griffin's Cross, Parteen Mains laying Griffin's Cross, Parteen Valve installation &	Bursts at Smithstown (Shannon), Doonbeg, Ballyvaughan, Cloonlaheen (Mullagh), Crosses of Annagh, Shannon, Cooraclare, Rinneen, Clonbony (Milltown Malbay), Moy,

	pumping station works Ennistymon	Scariff, New Quay, Bealaha Leak detection Rockmount (Milltown Malbay) Treatment plant maintenance Kildysart
August	Mains flushing Kildysart	Bursts at Ennis, Ennistymon, Westbury (Parteen), Bealaha, Ballymakea (Mullagh), Broadford Power outage Barefield

In comparing these 6 months with January 2014 to February 2016, and with the situation before Irish Water became responsible for public water services, no hard evidence emerges of a significant increase or decrease in numbers of incidents which have to be dealt with, or of changes in the nature of the outages and the response provided. Management of a water network would comprise the same core of works irrespective of the governing regime.

Funding is available under Irish Waters Minor Programmes for remedial works to networks and treatment plants that have a history of outages, for which the Council can at any time make a business case by way of an Asset Needs Brief. Up to 2013 we had the annual Small Schemes Programme, but application for this had to be made the previous year, the allocation for any one year was fixed and had to be spent within that calendar year, and there was limited flexibility for altering the contents of the year's programme if circumstances required changes.

Examples of small and medium works approved by Irish Water to date which are expected to reduce frequency of planned and unplanned outages:

- Replace old main at Tullabrack on Kilrush to Cooraclare road (*completed*)
- Replace old cast iron main at Mahonburgh, Inch (*completed*)
- Replace old main at Griffin's Cross, Parteen (*completed*)
- Replace stretches of old main Mullagh to Crosses of Annagh to Milltown Malbay
- Replace old mains in Newmarket town centre, Carrigoran and Shepperton
- Replace main at Bealaha to coordinate with N67 road improvement works
- Upgrade of reservoirs at Cliffs of Moher (*near completion*), Carron, Ballybeg (Clarecastle), Clarehill (Clarecastle), Clonmoney, Killaloe, Broadford, Crusheen

As well as the above jobs under Irish Water Minor Programmes, several extensions were approved and completed over and above the original scope of the Ennis mains rehabilitation scheme in the Irish Water Major Capital Programme.”

Item 22: Review of speed limits.

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

"When will the review of the speed limits for Co. Clare be available".

Tom Tiernan, Senior Engineer, Transportation replied as follows:

"As most Councillors are probably aware, submissions made by Elected Members and others on foot of the initial consultation pertaining to the current speed limit review have been considered in association with the Gardai and the output of that consideration now forms the basis of a draft speed limit scheme to go to public consultation in the near future. Two of the four Municipal Districts (West Clare and Ennis) have already been briefed in this regard and Shannon and Killaloe Councillors will be briefed at their respective Municipal District meetings next week. Following the forthcoming public consultation period, the submissions made on foot of same will be considered, there will be further consultation with the Gardai, with T.I.I. and with the four Municipal Districts before the final draft is collated for approval of the full Council. It is scheduled that the new speed limit scheme will take effect from April, 2017."

Item 24: Local Property Tax.

"That Clare County Council apply a 15% Property Tax Reduction when this decision has to be made by the Elected Councillors, especially in the light of over 2 million being taken from County Clare as a directive from Government to fund other Counties and Property Tax substituting Central Government funding and in turn this tax not being used to provide necessary public services as was the intention of this unfair tax on struggling homeowners".

Niall Barrett, Head of Finance replied as follows:

"The Local Property Tax (Local Adjustment Factor) Regulations 2014 set out the process that has to be followed in setting the L.P.T. rate for each year.

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

The regulations also specify certain matters to which a local authority shall have regard in considering a local adjustment factor, including the financial position of the authority, the potential impact on liable persons and service delivery plans. These matters are to be dealt with in a report to be considered by the Council at a Council meeting. It is envisaged that the report required will be available shortly for the council for a meeting date to be agreed, (potentially on September 19th).

Until the process set out in the regulations is completed, it is premature for the Council to make any prior decision in relation to the local adjustment factor."

This motion was not moved as the matter had been decided by the Members at the Special Meeting on the Local Property Tax earlier that day.

Item 25: Upgrade works to local authority housing estates.

Ar moladh Cllr. P. Burke

Cuidithe ag Cllr. P. Hayes agus glacadh leis

"I am calling on Clare County Council to provide funding for upgrade works to Local Authority housing estates which were constructed in the 1970's/ 80's. These works to include repairs to footpaths, boundary walls, street lighting etc."

Liam Conneally, Director of Services replied as follows:

“Housing Estates Constructed 1970’s/80’s:

During the period of the recession and its related budget challenges, Clare County Council within available resources as part of a General Maintenance Programme continued to invest in social housing. In 2015, 90 no. houses were refurbished following casual vacancies and similar numbers of houses were refurbished annually in the period of the recession. This investment was supported by National Government Grants for casual vacancies and voids.

It is current Government Policy that Local Authorities work towards a ‘Planned Maintenance Programme’ of existing housing stock in addition to the existing programme. This requires a focus on maximising the use of rental income and own resources to upgrade social housing. The difference between the ‘General Maintenance Programme’ and the ‘Planned Maintenance Programme’ is that the former responds to housing repairs and refurbishment when a house become vacant due to a tenant departing or passing on. The latter takes a strategic approach to anticipating housing repairs and refurbishment as part of the life-cycle of the house. In order that a larger general maintenance project cost is avoided after a long tenancy and to spread the cost over a longer period, there is a need for a significant capital investment in a Planned Maintenance Programme.

Footpaths/Street lighting

The repair of Housing Estates taken in-charge or in Council ownership are maintained by the Municipal Districts roads staff. In regard to maintenance of footpaths and street lighting in Council Housing Estates the Housing Department will liaise with the Roads Department in the budget 2017 discussions.”

Item 26: Homelessness.

Ar moladh Cllr. M. McKee

Cuidithe ag Cllr. C. Curtin agus glacadh leis

“That Clare County Council receive a Deputation to discuss homelessness in the County.”

Liam Conneally, Director of Services replied as follows:

“Clare County Council operates the Homelessness Service in conjunction with the Department of Social Protection and works closely with other statutory and non-statutory partners. This integrated strategic approach is achieved through coordination of the Clare Homelessness Alliance, which Clare County Council convenes. At present the Homelessness office is based within the Housing Department of Clare County Council. The Council is currently researching models being developed across the county whereby a H.A.T.; Housing Action Team office is established with the various agencies involved and delivered in an accessible office location. This will be proposed for funding as part of the Regional Homelessness Funding.

The Council operationally and financially supports Laurel Lodge as homelessness accommodation for single men. The Council as part of its acquisition programme is actively seeking to identify other suitable properties as part of the Government’s policy of *Housing First* as an intervention to prevent homelessness.

In the above context it is a matter for the elected members to consider receiving a deputation.”

The members agreed that a deputation be requested to attend the December meeting. It was agreed that such deputation would be representative of the organizations working in this area such as the Clare Homelessness Alliance. Cllr. M. McKee is to engage with the Director of Service in this regard.

Item 27: Bereavement Grant.

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

“What supports can this Council provide for those suffering financial difficulties with a bereavement?

I propose that Clare County Council request that the Minister for Social Protection, Mr. Leo Varadker reinstate the bereavement grant.”

Betty Devanny, Administrative Officer replied as follows:

“Clare County Council provide a burial plot, free of charge, on receipt of communication from the Health Service Executive (H.S.E.) or the Department of Social Protection that they are arranging the funeral of a deceased person/persons who have not sufficient means to fund the burial. The funeral director is reimbursed for the costs of the funeral by the H.S.E. or the Department of Social Protection, depending on which agency is arranging the funeral.”

The members agreed to write to the Minister for Social Protection, Mr. Leo Varadker to re-instate the Bereavement Grant.

Item 28: Motor insurance.

Ar moladh Cllr. A. O’Callaghan
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That Clare County Council call on the Government to immediately tackle the rising cost of motor insurance whereby in recent times they have risen by up to 100% in cases and it is becoming increasingly difficult for many families, individuals and businesses to afford the cost of same.”

Item 29: Shannon Airport.

Ar moladh Cllr. P. Daly

Cuidithe ag Cllrs. P. McMahon agus P.J. Ryan agus glacadh leis

“We call on the Board of Shannon Airport to negotiate with bus operators, to facilitate, collect and deliver potential passengers throughout the country onto Shannon Airport”.

Item 34. Comhfhreagras.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 26th August, 2016 from the Minister for Transport, Tourism and Sport regarding a possible 2016 round of Sports Capital funding.
2. Correspondence dated 31st August, 2016 from the Minister for Public Expenditure and Reform regarding the public service and Procurement (Social Value) Bill 2015.
3. Correspondence dated 29th July, 2016 from the Department of Health concerning the National Ambulance Service.
4. Correspondence dated 28th July, 2016 from the Department of Transport, Tourism and Sport in connection with Local Road Improvement Schemes.
5. Correspondence dated 14th July, 2016 from the Department of Social Protection regarding the availability of additional participants for Tús and the Rural Social Scheme in County Clare.
6. Correspondence dated 8th July, 2016 from the Department of Environment, Community and Local Government in connection with septic tank improvement.
7. Correspondence dated 13th July, 2016 from the Office of the Taoiseach in relation to Shannon Group.
8. Correspondence dated 31st August, 2016 from the Department of Transport, Tourism and Sport regarding Shannon Group.
9. Report on Clare County Council business visit to China.
10. Contact details for the Department of Housing, Planning, Community and Local Government.

11. Correspondence dated 27th July, 2016 from Transport Infrastructure Ireland in relation to meeting with members of Municipal Districts.
12. Correspondence dated 20th July, 2016 from Galway City Council in relation to European Capital Culture in 2020.
13. Census 2016 Preliminary Results.
14. Resolution from Cork County Council in relation to the National Council for Special Education.
15. Resolution from South Dublin County Council.
16. Resolution from Limerick City & County Council in relation to under funding of Local Authorities by the Government and the range of works not being carried out due to lack of funding.
17. Resolution from Donegal County Council in relation to the North West Radiotherapy Unit.
18. Resolution from Cork County Council in relation to Global Valuation undertaken by the Valuation Office.
19. Resolution from Leitrim County Council in relation to afforestation.
20. Conference entitled “Domestic Water Saving and Conservation Techniques” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 16th – 18th September, 2016.
21. Conference entitled “Domestic Water Saving and Conservation Techniques” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 23rd – 25th September, 2016.
22. La Touche Legacy Conference entitled “Emerging Ireland Post 1916” taking place in Greystones Golf Club, Whitshed Road, Greystones, Co. Wicklow on 23rd – 25th September, 2016.
23. Remembrance and Conference Weekend taking place in Aherlow House Hotel, Glen of Aherlow, Tipperary on 1st & 2nd October, 2016.
24. L.A.M.A. Autumn Training Seminar taking place in Westlodge Hotel, Bantry, Co. Cork on 30th September & 1st October, 2016.
25. Autumn Planning Conference 2016 being held in the Gibson Hotel, Dublin on 7th October, 2016.
26. Conference entitled “Brexit The Economic Consequences for Ireland” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 14th – 16th October, 2016.
27. Conference entitled “Explaining European Innovation Partnerships – the Irish approach under the Rural Development Programme” taking place in the Sharaton Athlone Hotel, Co. Westmeath on 14th October, 2016.
28. 2nd Annual F.O.I. Conference to be held in Hotel Kilkenny on 20th October, 2016.
29. Conference entitled “A Practical Guide to Budget 2017” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 28th – 30th October, 2016.

30. The Ireland 2016 Centenary Programme National Conference 1916-2016: The Promise and Challenge of National Sovereignty will take place from 10th – 12th November 2016 at N.U.I. Galway.

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.

A.I.L.G. “In Service” Training taking place in Dooley’s Hotel, Waterford on 13th February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €360.06 including conference fee of €50.

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

Local Authority Members Association (L.A.M.A.) Spring Training Seminar entitled “Planning & Flood Plains Insurance & Finding Solutions” taking place in Sligo Park Hotel, Pearse Road, Sligo on 1st & 2nd April, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €622.82 including conference fee of €160.

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

A.I.L.G. Training taking place in Plaza Hotel, Killarney, Co. Kerry on 19th May, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €337.02 including conference fee of €50.

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

A.I.L.G. Training taking place in Ennistymon, Co. Clare on 14th June, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €100.32 including conference fee of €50.

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

A.I.L.G. Annual Conference 2016 taking place in Dundalk, Co. Louth on 18th June, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €511.87 including conference fee of €50.

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

Conference entitled “Entitlement to Health Services” being held in the Clonakilty Hotel, Clonakilty, Co. Cork on 8th – 10th July, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €562.65 including conference fee of €100.

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

Fís an Piarisigh 2016 taking place in Rosmuc, Galway on 28th – 30th July, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €427.21 including conference fee of €40.

It was agreed that Cllr. G. Keating attend this Conference.

Conference entitled “Brexit – The economic consequences for Ireland” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 5th – 7th August, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €562.65 including conference fee of €100.

It was agreed that Cllr. P. McMahon attend this Conference.

Conference entitled “Entitlement to Health Services” taking place in Carlingford, Co. Louth on 2nd – 3rd September, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €762.31 including conference fee of €100.

It was agreed that Cllr. G. Keating attend this Conference.

A.I.L.G. Training taking place in Douglas, Co. Cork on 10th September, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €390.56 including conference fee of €100.

It was agreed that Cllrs. P. Murphy, C. Colleran Molloy, P.J. Kelly, P.J. Ryan, M. Howard, J. Breen, C. Curtin, A. O’Callaghan, R. Nagle, P. Daly, P. McMahon, T. O’Brien and A. Norton attend this Conference.

Conference entitled “Meeting the challenges for Rural Water Supplies” taking place in Furbo, Co. Galway on 15th September, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €217.15.

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

L.A.M.A. Autumn Training Seminar taking place in Westlodge Hotel, Bantry, Co.Cork on 30th September & 1st October, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €613.53 including conference fee of €160.

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

A.I.L.G. Autumn Conference taking place in Gorey, Co. Wexford on 13th – 14th October, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €457.52 including conference fee of €50.

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

A.I.L.G. Training taking place in Kilkenny on 27th October, 2016.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €365.37 including conference fee of €50.

It was agreed that Cllr. C. Curtin 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 Monday, 19th September, 2016 at 3:45 p.m.

Present:

Councillors J. Breen, J. Flynn, P. Daly, 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. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Mr. Gerard Dollard, Director of Service.
- Mr. Liam Conneally, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A./Director of Service

The Cathaoirleach, Cllr. B. Chambers presided.

A report had issued to all members in advance of the meeting which outlined that 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 functional area. The report also provided an overview of the current Council's finances along with outlining the potential impact on discretionary funding and delivery of services based on a decision being made to decrease the rate of L.P.T. by varying percentages.

The Cathaoirleach outlined that this special meeting had been called specifically to deal with the L.P.T. as outlined in the Finance (Local Property Tax) Act 2012.

The Chief Executive followed with a brief introduction to the members and summarised the conclusion in the report prepared by the Head of Finance and his recommendation not to reduce the basic L.P.T. rate for 2017, advising that this will provide extra resources for consideration as part of the budget process at which time the Council will be in a position to determine the priorities that can be progressed with such additional funding.

The Head of Finance summarised the key points in the report and outlined again the specific purpose of this meeting. He also gave an overview of the Council's financial position at 30th June, 2016 and confirmed that overall expenditure and income levels are broadly in line with the budget. He reminded the members that in June the Council issued a statutory notice of consideration of setting a local adjustment factor as required by regulation which was advertised in newspapers in the county and on

the council's website. Three submissions were received within the timelines provided. The three submissions were summarised as follows:-

1. Submission 1 stated that the reduction in 2016 resulted in underfunding for the local authority causing additional pressure on ratepayers. It also noted that Clare was one of 11 authorities to reduce the L.P.T. rate but was the only authority outside of Dublin to reduce the rate by the full 15%.
2. Submission 2 noted the impact on funding of a 15% reduction, and the undue and unsustainable pressure from the increasing demand for services, smaller staff numbers, and the pressure on the business community to deal with and make up the shortfall in funding through commercial rates.
3. Submission 3 stated that the L.P.T. rate should be increased by 15% as long as it is ring fenced to be spent inside the County to support the provision of good services by the Council.

The Cathaoirleach at this point invited the members to address the meeting to outline their views on the impact a decrease or increase to the L.P.T. rate would make in the county.

Many members expressed the view that it was fundamentally important that any additional expenditure arising from the result of the members decision today would be ring fenced and spent at a local level via equal apportionment between the Municipal Districts. It was further emphasised that there was a serious onus on the Council to ensure that improved services can be seen on the ground through extra funding for roads, housing etc. Additional funds must not be diverted to other areas but rather the public must ultimately benefit in the long run. This sentiment was echoed by the members present.

A query was raised regarding whether this extra funding could be ring fenced for discretionary expenditure at a local level through the municipal districts. In response to this, the Chief Executive appreciated the dilemma that was before the members. He reminded them that the discussion today was around the adjustment factor only and whether or not to reduce the L.P.T. rate for 2017. He advised the members that the issue of spending was a budgetary matter and that they would have ample opportunity to discuss this at the upcoming budget meeting.

Some members felt that the property tax rate should be reduced by up to 15% as it would be a further burden on householders if it were to be increased.

The Cathaoirleach advised that he had received two resolutions in writing. He was going to take the second resolution first as it was an amendment to the original resolution received.

The following amendment to the resolution was proposed by Cllrs. G. Flynn, M. McKee and I. Lynch.

“We propose that a 15% reduction be applied to the adjustment factor concerning Local Property Tax for County Clare, for the period 1st November, 2016 to 31st October, 2017”.

The Cathaoirleach agreed that a vote would take place, which resulted as follows:

In favour: Cllrs. J. Breen, G. Flynn, M. McKee and I. Lynch (4).

Against: Cllrs. J. Flynn, T. McNamara, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, P. Burke, A. O’Callaghan, C. Crowe, P.J. Ryan, P. McMahon, C. Curtin, R. Nagle, B. Slattery, M. Hillery, P.J. Kelly, B. Chambers and G. Keating, (19).

Abstentions: Cllr. A. Norton. (1)

This proposal was deemed to have been lost by 19 votes to 4.

The Cathaoirleach put the original resolution before the members and this was proposed by Cllr. T. McNamara, P. McMahon, R. Nagle, J. Cooney, P. Murphy, A. Norton, P. Hayes, M. Hillery, A. O’Callaghan, T. O’Brien, C. Crowe and C. Colleran Molloy and read to the meeting by the meetings administrator.

“That in accordance with the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended), that the basic rate of local property tax should not be varied for the period 1 November, 2016 to 31 October, 2017, in respect of relevant residential properties situated in the administrative area of Clare County Council provided that all monies are spent for the interest of the people who pay it and that the Draft Budget gives Municipal District Councillors control over €880,000 of that amount”.

The Cathaoirleach agreed that a vote would take place, which resulted as follows:

In favour: Cllrs. J. Flynn, A. Norton, T. McNamara, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, P. Burke, A. O’Callaghan, C. Crowe, P. J. Ryan, P. McMahon, C. Curtin, R. Nagle, B. Slattery, M. Hillery, P.J. Kelly, B. Chambers and G. Keating. (20)

Against: Cllrs. J. Breen, G. Flynn, M. McKee and I. Lynch (4)

This proposal was deemed to be carried by 20 votes to 4.

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

“That in accordance with the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended), that the basic rate of local property tax should not be varied for the period 1 November, 2016 to 31 October, 2017, in respect of relevant residential properties situated in the administrative area of Clare County Council provided that all monies are spent for the interest of the people who pay it and that the Draft Budget gives Municipal District Councillors control over €880,000 of that amount”.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____