

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, 11th September, 2017 at 3:45 p.m.

Present:

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

- Mr. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Ms. Anne Haugh, Director of Service.
- Mr. Liam Conneally, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A/Director of Service.
- Mr. Brian McCarthy, A/Director of Service.
- Mr. Eugene O'Shea, A/Senior Engineer.

Apologies. Cllrs. P. Daly and P. McMahon.

The Cathaoirleach, Cllr. Tom McNamara presided.

Item 1: Minutes of Council Meetings.

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

“That the Minutes of the July monthly meeting of Clare County Council held on 10th July, 2017 be adopted and signed.”

Item 2: Matters arising.

There were no matters raised by the members.

Item 3: Minutes of Municipal District Meetings.

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

“That the Minutes of the Shannon Municipal District Meeting held on the 9th May, 2017 be noted.”

b. 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 16th May, 2017 be noted.”

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

“That the Minutes of the Shannon Municipal District A.G.M. held on the 27th June, 2017 be noted.”

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

“That the Minutes of the Killaloe Municipal District Meeting held on the 17th May, 2017 be noted.”

Item 4: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 3rd July, 2017 as presented.

Item 5: Monthly Management Report.

The monthly management report attached to the agenda included key activities in the principal service areas for July and August 2017 and was noted by the members.

The members again commended the Chief Executive for the quality of the newly formatted Monthly Management Report.

Cllr. G. Keating raised the issue of the slow progress of critical physical works by the O.P.W. in Springfield, Miltown Malbay, Ballyvaughan and Murtyclough which are urgently needed in order to minimise the flooding risks at these locations. He also flagged the overlay works that need to be carried out on the N67. These works could not proceed because watermain rehabilitation works which has been planned by Irish Water did not go ahead. He noted that agreement has been reached with Irish Water

to proceed with these works. He also welcomed the announcement by the Department of the re-introduction of the Local Improvement Scheme.

Cllr. C. Curtin noted that there is a progression on the internal restructuring of the Water Services Section for the delivery of operations in the county. He emphasised the need to retain the current staff structure and staffing levels. He also noted that Clare County Council is still awaiting the 2017 allocation from the Department of Housing, Planning and Local Government under the Rural Water Programme.

Cllr. J. Flynn complimented all those involved in the huge success of Fleadh Cheoil na hÉireann 2017. He also paid tribute to those involved in the roll out of free public Wi-Fi to Ennis town centre.

Cllr. M. Hillery noted the delays in the storm damage projects, particularly Spanish Point and Miltown Malbay. He asked if these projects could be vigorously pursued again with the O.P.W.

Director of Service, Anne Haugh, replied to all queries raised by the members.

Item 6: Proposed disposal of property at 21 Crawford Street, Kilrush, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 28th August, 2017 from Liam Conneally, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at 21 Crawford Street, Kilrush subject to the conditions as set out in the report dated 28th August, 2017.

Ar moladh Cllr. I. Lynch
Cuidithe ag Cllr. G. Keating agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of property at 21 Crawford Street, Kilrush, Co. Clare subject to the conditions as set out in the notice served on the members dated 28th August, 2017.”

Item 7: Proposed disposal of property at St. Briget’s, Moyasta, Kilrush, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 14th August, 2017 from Liam Conneally, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at St. Bridget’s, Moyasta, Kilrush subject to the conditions as set out in the report dated 14th August, 2017.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section

211 of the Planning & Development Act, 2000 as amended, of the disposal of property at St. Bridget's, Moyasta, Kilrush, Co. Clare subject to the conditions as set out in the notice served on the members dated 14th August, 2017.”

Item 8: Proposed disposal of property at 21 Tradaree Court, Shannon, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 29th August, 2017 from Liam Conneally, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at 21 Tradaree Court, Shannon, Co. Clare subject to the conditions as set out in the report dated 29th August, 2017.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. M. McKee agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of property at 21 Tradaree Court, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 29th August, 2017.”

Item 9: Financial Report for half year to 30th June, 2017.

The Financial Report for half year to 30th June, 2017 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 2017, together with an overview of the activity on capital projects in the same period. The members noted the report as presented.

Proposal taken under Standing Order No. 42

At this stage of the meeting a motion was given to the Cathaoirleach who advised that he would allow it to be taken as urgent business in accordance with Standing Order Number 42. The members agreed to take this item.

The Meetings Administrator read out the motion.

“To allow debate on housing in the following areas:

1. To ask the Chief Executive to outline how this meeting last Friday with the Minister went, and
2. That Clare County Council convene a special meeting on housing in terms of delivery, policy changes if needed, housing related Council charges, etc.”

The motion was proposed by Cllr. J. Flynn, seconded by Cllrs. B. Slattery, J. Cooney, J. Crowe, G. Keating, B. Chambers, P. Burke, P. Hayes, M. Begley, C. Colleran Molloy, J. Breen, P.J. Kelly, G. Flynn, A. Norton, P. Murphy, C. Curtin and M. Hillery and agreed by all present.

With regard to Item No. 1 of the motion, the Chief Executive updated the members on the Housing Summit held on the 8th September in the Custom House in Dublin, which was chaired by housing Minister Eoghan Murphy and attended by the 31 Chief Executives. An Taoiseach was also in attendance. The Minister announced the appointment of Junior Minister Damien English as the new liaison person for Local Authorities. The issue of homelessness was discussed in the morning while the focus of the afternoon was on the housing construction programme.

The Chief Executive outlined to the members the huge challenges facing local authorities in addressing social housing need and homelessness and the need for greater work on the housing construction programme. He informed the members of the growing need in Clare for homelessness accommodation and in particular transitional accommodation. He emphasised the need for a team on the ground to be able to respond to urgent cases immediately and to have a high street location for this. The prevalent aim of this new team will be to ensure a swift move from homelessness to full time accommodation as the current arrangements are not working. There are currently 51 homeless persons in County Clare and this needs to be urgently addressed.

He notified the members that there is a revised focus by Government on building new houses rather than acquisitions or purchases. This will mean that lands will need to be identified for such building projects. The Chief Executive spoke of his concerns in relation to the time required to progress construction projects as there are three stages, the design stage, planning stage and procurement stage and each of these can take a lot of time. There are however, options to speed this up and one such option is the rapid build framework which reduces the procedure to just two stages. Clare County Council has many schemes currently awaiting Departmental approval.

Finally the Chief Executive hopes to report back to the Minister in six weeks. The Taoiseach and Minister Murphy have informed local authorities that funding will not be an issue.

Cllr. J. Flynn, thanked the Chief Executive for his very comprehensive response. With regard to Item 2, it was agreed by all present that the special meeting would be held on Monday, 18th September, 2017 at 2:00 p.m.

Item 10. Irish Water.

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

“That Clare County Council liaise with Irish Water in relation to their responsibilities

re 'estates not taken in charge', to resolve the anomaly which currently exists vis a vis repair work on the supply network.”

Anne Haugh, Director of Physical Development replied as follows:

“Taking in charge of estates which are served by public water services infrastructure is currently carried out in accordance with a Memorandum of Understanding and associated protocols between the local authorities and Irish Water and under the guidance of Department circular PL5/14 of 5th November, 2014. Clare County Council working closely with Irish Water is accordingly progressing the taking in charge of estates in this category which will then subsequently transfer to Irish Water in respect of the water services responsibility. Within this category however there will be some complexities such as unfinished estates where significant remediation works are required to bring the estates up to standard and there is no prospect of having the developer complete the works or accessing the required remediation costs. Efforts continue however to bring resolution to these more difficult cases in consultation with Irish Water.

Where estates are not served by public infrastructure but instead contain what is referred to as Developer Provided Infrastructure, i.e. a standalone Waste Water Treatment Plant or served by a Group Water Scheme, Irish Water currently have no legal obligation to take in charge such estates. This has resulted in Clare County Council having to “step in” in a number of cases, particularly in the interests of public and environmental health to take in charge such infrastructure incurring costs which currently have to be met from own resources.

This particular anomaly however has been identified as an important “legacy” issue at a national level and a working group is currently examining it as part of the Water Industry Operating Framework (W.I.O.F.) which is being developed between Irish Water and the local government sector. The objective will be that either Irish Water will be required to also take in charge such infrastructure or alternatively that local authorities will be funded appropriately to do so.”

Cllr. M. McKee thanked the Director of Service for her comprehensive response, however he felt that Irish Water are not aware of circumstances prevailing in rural Ireland on the ground and gave an example of a leak at a water meter installed by Irish Water on an estate not taken in charge where, Irish Water refused to fix that leak.

Item 11. Carbon footprint reduction.

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

"That the management of Clare County Council would give an update on the progress to achieve the 33% carbon footprint reduction by 2020 in energy for the 13,000 public lights in the county and that the numbers on the poles be renewed so that they can be read for maintenance purposes."

Anne Haugh, Director of Physical Development replied as follows:

“Public Lighting is the single biggest energy consumption component of the Councils infrastructure at 53% of overall energy usage and significant investment is required in

this area if the current statutory target of achieving a carbon footprint reduction of 33% (based on 2009 levels) by 2020 is to materialise. Currently approx 4% of all public lights have been converted by Clare County Council to LED energy efficient lighting. 1.5% of this cost has been funded by the T.I.I. “Transport Infrastructure Ireland” for National Secondary routes. There is a commitment to change a further 2% of the public lighting stock to LED by the end of 2017, 1% each to be funded by TII and Clare County Council. This will bring the overall percentage of public lights changed to LED’s to 6% by the end of 2017.

The Roads Management Office is currently undertaking a National review of public lighting and progressing the development of a National strategy. It is anticipated that this strategy will inform the level of funding required to upgrade to more energy efficient public lighting nationally. The National Public Lighting steering group is of the view that an investment of between €250 and €300 million is required (Nationally) to provide the necessary upgrade to the infrastructure over the next 3.5 years.

As part of the on-going maintenance programme the numbers displayed on the public lights will be renewed where they are found to be missing or un-readable. A number of options are available to both the public & elected members to facilitate reporting of public lighting faults including logging on to www.airtricitysolutions.com and also by contacting Airtricity Utility Solutions dedicated Call Centre on 1850 372 772.”

The members noted the slow progress in upgrading specific public lights. They cited the lack of pole numbers as a possible reason for the slow progress. They asked if this could be looked at in order to aid the public in reporting lights that are out of order to Airtricity.

Item 12. Hydrological assessments.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That the Council pursue as a matter of urgency the implementation of the solutions recommended in the hydrological assessments carried out at the various centres throughout the county which were adversely affected by the severe flooding in September 15, December 15 and January 16 and that the Senior Engineer and his staff forthwith engage directly with the relevant communities on the N67 at Miltown Malbay, Ballyvaughan and Murtyclough (near New Quay) and others to collate useful available local knowledge on the existing drainage systems and to assist with an immediate proactive and working model of remediation at the particular locations.”

Anne Haugh, Director of Physical Development replied as follows:

“Hydro Environmental Engineering carried out a number of feasibility studies for Clare County Council at various locations around Clare including the areas listed above. As a result of these feasibility studies a number of preferred options were identified. The next phase in the process is to begin detailed design of the preferred options and to move to the Planning Stage. This will require a more in-depth assessment of the technical aspects and environmental implications of the proposals. Two of the projects Murtyclough and Ballyvaughan are in areas close to a Special

Protection Area and /or a Special Area of Conservation. Topographical and geological surveys have to be carried out to determine the final design. Clare County Council have engaged consultants from the Multiple Operator Framework Agreement for Coastal Storm Flooding Damage Programme and Inland Flood Relief Works to carry out this work. Malachy Walsh and Partners are currently working on the detailed design and environmental assessment for the flood relief scheme at Murtyclough. JBA Consulting have been appointed and are currently working on the detailed design for the flood relief scheme for Miltown Malbay. A tender is being prepared at present for the appointment of consultants to begin the detailed design at Ballyvaughan. These Consultants will take the project all the way from detailed design to planning, through the tender process and to Construction and completion. Clare County Council will be consulting with all interested parties including land owners, local communities, the statutory authorities, the area office and the Office of Public Works in this design. Due to the scale of the projects and the environmental sensitivity of the locations it is likely that they will all be required to go through the Planning Process. This will provide a further opportunity for all interested parties to submit observations."

Cllr. C. Curtin reminded the members that on the 11th September, 2015 exceptional rain fell in areas straddled by two Municipal Districts. This rain caused serious damage thus impacting on community facilities, householders and businesses in the areas. Miltown Malbay, Ballyvaughan and Murtyclough were greatly affected. Disappointingly, little or no progress has been made in the two years since 2015 to reduce the risk of re-occurrence and this is a great cause of concern. He asked for a clear timeframe for design, tender and construction stage of each of these projects which should include engagement with the local people in each area.

In response, the Director of Service, Anne Haugh, gave an update to all present outlining the progression on each of the projects mentioned.

Item 13. Housing applications.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllrs. I. Lynch, G. Flynn, J. Flynn agus P.J. Kelly agus glacadh leis

“That a breakdown of the demographics of housing applications listed in the register of qualified households be provided as it relates to categories of the applicants, locations, municipal districts and waiting times and in this context the Council would make an appropriate response following consideration by the elected members in debate.”

Liam Conneally, Director of Social Development replied as follows:

“Clare County Council (CCC) has 2644 applicants on the social housing waiting list as of 1st September 2017.

Table 1 is a breakdown by year of application:

Table 1

Application Dates	
2017	391
2016	551
2015	341
2014	279
2013	280
2012	175
2011	130
2010	134
2009	81
2008 or older	282

Table 2 is a breakdown by category of applicant:

Table 2

Category of Applicants	
Dependent on rent supplement/H.A.P.	1003
Disability – Intellectual	44
Disability - mental health	80
Disability – physical	80
Disability – sensory	6
Disability – unspecified	6
Exceptional medical or compassionate grounds	47
Homeless, Institution, Emergency Accommodation or Homeless	59
Involuntary Sharing	114
Mortgage is Unsustainable	12
Overcrowded	71
Unfit	107
Unsuitable - Particular Household Circumstances	1015

Table 3 is a breakdown by area of preference:

Table 3

Municipal District	Location	Housing Need
Ennis	Clarecastle	73
	Ennis	1,072
	Quin	31
Shannon	Meelick	24
	Newmarket on Fergus	61

	Parteen	24
	Shannon	263
	Sixmilebridge	58
	Westbury	50
Killaloe	Balinruan	3
	Broadford	9
	Clonlara	37
	Crusheen	9
	Feakle	24
	Kilkishen	12
	Killaloe	94
	Mountshannon	19
	O'Briensbridge	7
	Ruan	9
	Scarriff	54
	Tubber	6
	Tulla	36
	Whitegate	7
West Clare	Ballynacally	8
	Ballyvaughan	22
	Carrigaholt	11
	Cooraclare	10
	Corofin	38
	Doonbeg	25
	Ennistymon	94
	Inagh	21

	Kildysart	16
	Kilfenora	10
	Kilkee	59
	Kilmaley	23
	Kilmihil	23
	Kilrush	132
	Labasheeda	4
	Lahinch	54
	Lisdoonvarna	47
	Miltown	47
	Mullagh	3
	Quilty	15

The highest demand for social housing is in Ennis, the county town, followed by Shannon, Kilrush, Ennistymon and Killaloe.

The 2,644 housing applicants includes 129 transfer applicants who are already residing in Council properties, 114 applicants who have been facilitated with lease tenancies of up to 10 years and 1,160 applicants who are in receipt of a Housing Assistance Payment (H.A.P.). It also includes a significant number of applicants who have long term tenancies through the Rental Accommodation Scheme (R.A.S.). A significant proportion of these applicants are interested in housing support via H.A.P. or rent supplement only and do not wish to be considered for local authority housing. In order to be eligible for H.A.P. or rent supplement it is a requirement to be approved for social housing support.”

Cllr. C. Curtin stated that as this motion was signed by five Councillors it indicates their intent to work together on this matter to see implementation of housing matters. He expressed his view that the Data Protection legislation is hampering the exercise of their democratic role in the housing area and he feels it is a denial of their rights. The data in the reply confers an obligation and urgency on the Council to meet the needs of the applicants in a broad range of options. He outlined his view that the Council has been remiss in not building houses during the recession.

Cllr. G. Flynn feels that the Data Protection Act has denied Councillors a right to engage in a positive way with the administrative staff of the Housing Department. He stated that there is no incentive for private landlords to stay in business and something needs to be done urgently about this. He asked the Chief Executive if this could be brought up with the Minister at their follow up housing meeting in six weeks time.

Cllr. P.J. Kelly felt that the problem in various localities is highlighted and perhaps this should be matched with the vacant houses in those localities. He re-iterated the need for an incentive scheme for private landlords.

Cllr. M. Begley queried how many on the list for South East Clare are from outside County Clare and how many have no connections to County Clare. In response Liam Conneally, Director of Service replied that he did not have this information to hand would that he would aim to provide this as soon as is possible.

In summing up, Cllr. C. Curtin, acknowledged the work done by the Strategic Policy Committee for Social Development.

Item 14. Traveller accommodation.

Ar moladh Cllr. J. Flynn

“Request Clare County Council to outline if it has any traveller specific housing proposals to meet the housing needs of travellers in Clare on lands previously used for such housing and in particular regarding the former Ashline site, which it is claimed to have been sold to the housing authority at nominal price by the then Bishop of Killaloe for traveller specific housing needs.”

Liam Conneally, Director of Social Development replied as follows:

“The Council’s Traveller Accommodation Programme 2014 – 2018 outlines the Council’s proposals for the development of Traveller Specific housing. This programme indicates a strong preference within the traveller community for standard local authority housing. The programme was reviewed in 2016 and the objective for the Ashline site remains “Currently completely vacant. Invite redevelopment proposals in partnership with Approved Housing Body”. In this regard Clare County Council are working towards the delivery of a social housing scheme for Ennis in this area.”

Item 15. Ennis Market Development.

Ar moladh Cllr. P.J. Kelly

“That, with regard to loan No. 170 (Ennis Market Development), the following information be supplied:

- (a) Identity of lender
- (b) Rate of interest paid
- (c) Whether fixed or variable rate.”

Niall Barrett, Head of Finance replied as follows:

“The loan for the Ennis Market Development is provided by the H.F.A., and is currently at a variable rate of 1.5%.”

Cllr. P.J. Kelly stated that he had previously submitted a motion seeking the setting up of a Finance Committee which was subsequently defeated. He feels that this response is “quite revealing” and expressed amazement that the funding has come from the Housing Finance Agency. He queried why the Council borrowed from the H.F.A. when there is a housing crises and the money borrowed would have built houses for twelve families.

On a point of clarification, Cllr. J. Flynn stated that €1.25m was spent on the streetscapes and footpaths, watermains and sewerage works and that €500,000 was spent on the building.

Item 16. Labour activation schemes.

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

“That Clare County Council organise for a deputation to meet with the Minister for Social Protection in advance of Budget 2018 to outline our concerns regarding the operation and criteria of a number of labour activation schemes such as Community Employment (C.E.), Tús, Gateway, Rural Social Scheme and Job path as the current criteria limits the pool of people available to community organisations across the County.”

Cllrs. J. Cooney and M. Begley were adamant in their view that the criteria for these schemes needs to be reduced. It is hard to find people suitable for C.E. Schemes. The people are there but they don’t meet the current criteria. This motion was unanimously supported by the members including the Cathaoirleach who also expressed a wish to form part of the deputation to meet with the Minister.

It was therefore, agreed that the Cathaoirleach, the Chairs of the four Municipal Districts and Cllr. J. Cooney should attend the deputation. Cllr. J. Cooney is to make contact with the Department and liaise with the Meetings Administrator with a suitable time and date for the meeting.

Item 17. Service provision.

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

“I am calling on the CEO to conduct a root and branch analysis of each Department in this Council with a view to improving services to the general public and elected members”.

Pat Dowling, Chief Executive replied as follows:

“In the first instance, I wish to commend Cllr. J. Breen for this motion. It is a timely motion as I have already put arrangements in place to carry out a business review of

how services are provided to the general public and elected members. Members will be updated on the progress of this initiative in the Monthly Management Report.

While some improvements have been carried out in recent months, this is an opportune time to carry out such a root and branch analysis of each department in this Council, as set out in the motion. This includes the allocation of duties to staff members in the setting up of a Business Review Unit within the organisation and a review network across all directorates/departments.”

Item 18. Communication with elected members.

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

“That in the interest of better communication with the elected members throughout the various sections of Clare County Council that the CEO follow up on earlier discussions concerning agreed actionable items from motions or reports and also that the possibility of changing the generic phone number in all departments when call back to elected members occurs as in some cases no knowledge of caller can be identified as no message is received.”

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

“With regard to the actionable items from motions or reports, work has progressed on a new tracking system for actions and replies to motions and the new system is in use now for the September Council meeting, following testing been done during the Summer months. I will then arrange to populate the system with motions from previous monthly meetings with a view to being able to provide reports on particular areas.

With regard to the second matter raised, a reminder was sent to all staff to leave voicemail messages when they contact elected members by phone. At the present time, an upgrade of Clare County Council’s existing telephone system has commenced and it is intended that the facility requested in the motion will be included in the upgrade”

Cllr. G. Flynn thanked the Senior Executive Officer, Carmel Greene for her very comprehensive and positive response. He asked if this new tracking system could be duplicated at Municipal District level.

Cllr. C. Crowe asked if an Organisational Chart could be made available to the Members for each Directorate in the Council outlining the key responsibilities of senior staff. This would lead to greater efficiencies.

Cllr. J. Breen asked if staff mobile numbers can be made available to the elected members or alternatively, can staff be asked to send a text message to the Councillor in question requesting a call back.

In response the Chief Executive stated that it is his wish to improve all services to the elected members to ensure positive engagement for all.

Item 19. Staff in Planning Department.

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

“That this Council would consider increasing staff in the Planning Department to facilitate Pre - Planning Applications as there is a significant back log in some electoral areas.”

Brian McCarthy, Senior Planner replied as follows:

“Section 247 of the Planning and Development Act, 2000 as amended, sets out the provisions whereby a person with an interest in lands may request a pre-application consultation from the Planning Authority. The Planning Acts do not set out statutory time periods for pre-plannings. The free service provided by Clare County Council ranges from meetings, site inspections, detailed advice and inter-departmental reports.

The pre-planning advice provided by Clare County Council Planning Authority is viewed as an important service to citizens and stakeholders. This fact is reflected in the increasing numbers and complexities of pre-planning enquire received. In 2014 there were 323 pre-planning enquiries; 348 in 2015; 373 in 2016, whilst this year there are over 200 to date. It should also be noted that due to a variety of circumstances, there are 3 less Planning Officers in place compared to this time last year, whilst other activities associated with the wider remit of the Planning Authority have also increased.

Facilitating pre planning enquiries is just one area of work of the Planning Department. Naturally staff resources have to be managed and prioritised having regard to statutory demands and the strict timelines in other areas. Whilst all pre-plannings are dealt with, the main priority is to facilitate pre-plannings for developments which are strategic in nature in terms of economic development, tourism development and employment generation.”

The Chief Executive stated, in response to the concerns raised by the members on delays in getting replies to re-planning queries, that he will look at staffing needs going forward and he will revert to the members in due course.

Item 20. Hospitality Sector – Support your local campaign

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

“That this Council supports the drinks industry and hospitality sector which supports 6,682 jobs in Clare and is a critical component of our offering to tourists, with tourism spend in Clare worth €265 million in 2016. This Council backs the ‘Support Your Local’ campaign in calling for a reduction in excise tax on alcohol in budget 2018, in order to support local jobs, the hospitality sector and our local economy.”

Item 21. An Taisce.

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

“That we, the elected members of Clare County Council, have concerns for the many ill-informed objections made against planning files in Clare by An Taisce and implore the hierarchy of their organisation to review their modus operandi in this county.”

Brian McCarthy, Senior Planner replied as follows:

“The Planning and Development Act, 2000 as amended, provides that An Taisce is a Prescribed Authority for the purpose of the referral and making observations on planning applications. Whilst respecting the viewpoint as expressed in the Notice of Motion, in the interests of clarity it is important to note that - as with all prescribed bodies or 3rd parties - the inputs from An Taisce to planning applications are referred to as “submissions” or “observations” rather than necessarily objections.

The following is a breakdown of the number planning applications of which An Taisce made submissions or observations.

Year	No. of Planning Applications	No. Of Observations from An Taisce	No. of Decisions by Clare County Council appealed by An Taisce
2014	744	195	1
2015	828	194	1
2016	942	213	0
2017*	497	80	1

*correct as of 31st August

Moreover, the Planning Acts provide that in the assessment and decision making process of a planning application, only matters raised by Statutory Agencies or 3rd Party which are relevant to the proper planning and sustainable development of the area are considered."

Cllr. C. Crowe stated that while he respects the statutory role of An Taisce, there is a responsibility that goes with the remit. He gave examples of situations where the information in An Taisce’s submission was incorrect. A desk study should not be enough to make a submission and if they wish to make a submission they should visit the site in question.

Cllr. J. Flynn fully supported this motion and asked that a letter be sent to An Taisce detailing the concerns of the Members.

Item 22. Cliffs of Moher.

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

“In view of the large number of visitors to the Cliffs of Moher who are being “Bussed” to and from Dublin in one day, that this Council liaise with Shannon Airport Authority, the local I.H.F. and other tourism interests with a view to incentivising a higher proportion to use the Airport and local services.”

Due to the absence of Cllr. P. McMahon, Cllr. P.J. Ryan on his behalf, asked that this motion be moved without discussion.

Item 23. Comhfhreagras.

Correspondence.

1. The Cathaoirleach brought the attention of the members to a letter of thanks from outgoing Director of Service, Gerard Dollard which was included in the correspondence section of the agenda.
2. Cllr. P.J. Kelly queried the response received from the Department of Housing, Planning, Community and Local Government in respect of commercial rates. He asked that this reply be clarified with the Department again.
3. The Cathaoirleach advised the members of the changes on how members access the Extranet.
4. Cllr. J. Breen queried the tracking of replies from the Minister and how this can be improved upon. The Meetings Administrator responded to this query by suggesting that the new tracking system will help with this matter.
5. It was agreed and supported by all members to send a letter of acknowledgement and thanks to the Chief Superintendent, John Kerin following on receipt of his letter to the Chief Executive regarding Fleadh Cheoil na hÉireann.
6. Cllr. C. Curtin praised the Chief Executive and his team for making the Áras building available for events such as the Fleadh.
7. Cllr. M. Howard congratulated the six team of lifeguards, who are staff of Clare County Council, and who won medals in the European Lifesaving Championships in Belgium recently.

The following correspondence was circulated at the meeting:

- Details of the Irish Planning Institute’s Autumn Planning Conference 2017 being held in the Gibson Hotel, Dublin 1 on 6th October, 2017.
- A.I.L.G. Training dates for elected members 2017.

- Association of Irish Local Government Brexit Issues Paper 2017.

The following correspondence was circulated with the agenda:

1. Correspondence dated 29th August, 2017 from Gerard Dollard, Director of Economic Development informing the Cathaoirleach, Cllr. T. McNamara of his resignation as Director of Services.
2. Correspondence dated July 2017 from the Lord Mayor of Manchester acknowledging books of condolence signed by the people of County Clare.
3. Correspondence dated 28th August, 2017 from the Office of the Minister for Jobs, Enterprise and Innovation regarding the promotion of Clare, Limerick and Galway for foreign direct investment particularly in light of the UK's decision to leave the E.U.
4. Correspondence dated 16th August, 2017 from Shannon Group regarding the development of Bunratty Folk Park.
5. Correspondence dated 14th August, 2017 from Irish Water in relation to Group/Public Sewerage Schemes in rural towns and villages.
6. Correspondence dated 9th August, 2017 from the Department of Communications, Climate Action and Environment regarding the P.S.O. levy.
7. Correspondence dated 27th July, 2017 from the Department of Housing, Planning, Community and Local Government in respect of commercial rates.
8. Correspondence dated 21st July, 2017 from the Health Service Executive in relation to the provision of home help services.
9. Correspondence dated 6th July, 2017 from the Department of Health concerning the shortage of staff for all agencies relating to home help services.
10. Correspondence dated 12th July, 2017 from the Department of Foreign Affairs and Trade in relation to the welfare of Banni, a young Belarussian man.
11. Correspondence dated 17th July, 2017 from the Department of Transport, Tourism and Sport relating to toll charges levied on Blood Bike Volunteers.
12. Correspondence dated 6th July, 2017 from the Department of Health concerning the Blood Bike Volunteers.
13. Correspondence dated 23rd July, 2017 from the Department of Transport, Tourism and Sport in relation to routes in County Clare on SatNav devices.
14. Correspondence dated 23rd August, 2017 from the Department of Transport, Tourism and Sport regarding CERT.
15. Correspondence dated 12th July, 2017 from the Office of the Minister for Education and Skills in relation to bringing back CERT.
16. Correspondence dated 17th July, 2017 from the Department of Finance in relation to CERT.
17. Correspondence dated 11th August, 2017 from the Minister for Children and Youth Affairs in relation to protecting children.

18. Correspondence dated 11th August, 2017 from the Department of Health in relation to major emergency event.
19. Correspondence dated 14th July, 2017 from the Office of the Minister for Social Protection in relation to social welfare payments.
20. Correspondence from the Minister for Training, Skills, Innovation, Research and Development in relation to CERT.
21. Correspondence dated 18th July, 2017 from South Dublin County Council in relation to Cyberbullying.
22. Correspondence dated 4th August, 2017 from Limerick City and County Council in relation to screen of GAA games.
23. I.C.S.H. Biennial Social Housing Conference taking place at the Limerick Strand Hotel on 27th & 28th September, 2017.
24. L.A.M.A. Autumn Seminar entitled “Waste Management – Better Energy” taking place in Hotel Minella, Coleville Road, Clonmel, Co. Tipperary on 29th – 30th September, 2017.
25. Conference entitled “A Practical Guide to Budget 2018” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 13th – 15th October, 2017.
26. Conference entitled “What does a hard Brexit mean for Ireland” taking place in the CLonakilty Hotel, Clonakilty, Co. Cork on 20th – 22nd October, 2017.
27. Association of Irish Local Government Training for Councillors entitled “Wellbeing for Councillors” taking place in September at various venues.

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.

L.A.M.A. Spring Training Seminar entitled “Councillors Remuneration and Conditions” taking place in City North Hotel, Gormanston, Co. Meath on 28th and 29th April, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €695.22 including conference fee of €160.

It was agreed that Cllr. B. Chambers attend this Conference.

A.I.L.G. Training Seminar taking place in Killarney, Co. Kerry on 8th June, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €338.20 including conference fee of €50.

It was agreed that Cllr. B. Chambers attend this Conference.

Scoil Samhraidh an Phearsaigh taking place in Rosmuc, Co. Galway on 27th – 29th July, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €248.39.

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

ODCE Office of the Director of Corporate Enforcement taking place in Clonakilty, Co. Cork on 7th – 9th July, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €632 including conference fee of €100.

It was agreed that Cllr. B. Slattery attend this Conference.

Tourism Conference taking place in Listowel, Co. Kerry on 5th and 6th September, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €323.16 including conference fee of €90.

It was agreed that Cllrs. C. Curtin, M. Hillery and P.J. Kelly attend this Conference.

Federation of Group Water Schemes Conference taking place in Claremorris, Co. Mayo on 14th September, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €300.76 including conference fee of €50.

It was agreed that Cllrs. C. Curtin, M. Hillery and P.J. Kelly attend this Conference.

A.I.L.G. Training Seminar entitled “Welling for Councillors” taking place in Ard Ri House Hotel, Tuam, Co. Galway on 19th September, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €247.65 including conference fee of €50.

It was agreed that Cllr. B. Chambers attend this Conference.

A.I.L.G. Training Seminar entitled “Welling for Councillors” taking place in Silver Spring Hotel, Cork on 23rd September, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €296.03 including conference fee of €50.

It was agreed that Cllrs. A. O’Callaghan, C. Curtin, M. Begley, P. McMahon, M. Hillery and P.J. Kelly attend this Conference.

L.A.M.A. Autumn Seminar entitled “Waste Management – Better Energy” taking place in Hotel Minella, Coleville Road, Clonmel, Co. Tipperary on 29th – 30th September, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €490.02 including conference fee of €160.

It was agreed that Cllrs. M. Hillery and B. Chambers attend this Conference.

A.I.L.G. Autumn Training Seminar entitled taking place in Sligo Park Hotel, Sligo on 12th & 13th October, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €564.45 including conference fee of €125.

It was agreed that Cllrs. C. Curtin and M. Begley 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, 18th September, 2017 at 2:00 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. McMahon, M. McKee, C. Curtin, 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.
- Ms. Mary Walshe, Staff Officer.
- Mr. Liam Conneally, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A/Director of Service.
- Ms. Noeleen Fitzgerald, Financial Accountant.
- Mr. Mark Dunphy, Communications Officer.
- Ms. Siobhan McNulty, Senior Executive Officer.
- Ms. Ruth Hurley, Senior Executive Architect.
- Ms. Mairead Corbett, Administrative Officer.
- Mr. Liam O'Connor, Administrative Officer.
- Mr. Niall O'Keeffe, Administrative Officer.
- Mr. Stephen Lahiffe, Senior Staff Officer.
- Ms. Mairin Hill, Senior Staff Officer.

The Cathaoirleach, Cllr. T. McNamara presided and he outlined that this special meeting had been called specifically to consider the following motion which was passed at the Council meeting on the 11th September, 2017:

“To allow debate on housing in the following areas:

- 1. To ask the Chief Executive to outline how this meeting last Friday with the Minister went, and*
- 2. That Clare County Council convene a special meeting on housing in terms of delivery, policy changes if needed, housing related Council charges, etc.”*

The Chief Executive then addressed the meeting. He outlined to the members the complex challenges in meeting demand for social housing and addressing homelessness at local and national level. He also acknowledged the significant social changes that have occurred in Ireland throughout the last decade and the requirement that policy must now be changed to reflect this.

He affirmed the need for greater work on the housing construction programme. He also informed the members of the growing need in Clare for homelessness accommodation. He reassured the members of the unwavering focus at national level to meet these changing needs. He was resolute that Clare County Council's approach would mirror the approach at national level in its response, whilst also being innovative within the parameters that exist.

The Director of Service, Liam Conneally, followed with a comprehensive presentation to the members detailing Clare County Council's planned response to confront these new challenges.

The key initiatives are as follows:-

1. Opening of new Homeless Action Team;
2. Acquisition of a homeless transitional accommodation;
3. Acquisition of property to operate as emergency accommodation;
4. Planned maintenance programme;
5. Expressions of interest to ascertain land for suitable development;
6. Establish live planning permissions in areas of high housing demand;
7. Tenancy support initiatives which includes the establishment of a tenancy support team;
8. New buildings contractors' framework by mid-October 2017;
9. Setting up of New Central Record Management (CRM);
10. Buy and Renew Scheme;
11. Repair and Leasing Scheme;
12. Clare Vacant Homes Strategy.

In summing up his presentation, the Director of Service reassured the members that the Housing Department of Clare County Council is committed to the delivery of social housing units to meet the housing need of those approved for social housing. Despite the lack of construction during 2015, 2016 and 2017 Clare County Council has secured the provision of in excess of 110 housing units per annum during this period. The provision of supported transitional accommodation for homeless persons and families will have a positive impact on the homeless situation in Clare.

The Cathaoirleach thanked the Director of Service for his very detailed presentation and invited the members to address the meeting to outline their views on the issues raised. The members were collectively very complimentary on the proactive approach of Clare County Council in combating the challenges in meeting social housing. They complimented and thanked the Director of Services and his staff for their work in targeting the issues surrounding anti-social behaviour in our housing estates.

However, as it was nearing 3:00 p.m. it was proposed by the Cathaoirleach Tom McNamara and seconded by Cllr. J. Cooney to suspend this meeting as the Special Meeting to discuss the Local Property Tax was due to commence at 3:00 p.m.

On the resumption of the meeting at 3:30 p.m. the members requested that a copy of the presentation be emailed to them. A number of questions were posed by the members and the Director of Services replied to all queries raised by them. Specific queries were raised in relation to particular properties, construction vis-a-vis acquisitions, role of private sector and lack of land banks.

The Chief Executive thanked the members for their positive comments. He informed the members about the national programme entitled "Re-Building Ireland" which is designed to

accelerate housing supply in Ireland to tackle the country's housing shortage. This action-driven plan will result in a dramatic increase in the delivery of homes nationwide. It is ambitious and imaginative in its reach and will address the needs of homeless people and families in emergency accommodation, deliver more housing, utilise vacant homes and improve the rental sector. He reiterated to the members that there is a revised focus by Government on building new houses rather than acquisitions or purchases. This will mean that lands will need to be identified for such building projects. The Chief Executive spoke of his concerns as there are three stages to this including the design stage, planning stage and procurement stage and each of these can take a lot of time. There are however, options to speed this up and one such option is the rapid build framework which reduces the procedure to just two stages. Clare County Council has many schemes currently awaiting Departmental approval and he outlined his view that more discretion on the process is needed at local level. He also repeated that Clare County Council needs to be more proactive in the area of Estate Management and in particular issues relating to anti-social behaviour. The right to have a home has to be linked to the responsibilities that are attached to it.

The meeting then concluded at 4:30 p.m.

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, 18th September, 2017 at 3:00 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, G. Flynn, P. McMahon, M. McKee, C. Curtin, B. Slattery, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Ms. Mary Walshe, Staff Officer.
- Ms. Anne Haugh, Director of Physical Development.
- Mr. Liam Conneally, Director of Social Development.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A/Director of Rural Development.
- Mr. Brian McCarthy, A/Director of Economic Development.

The Cathaoirleach, Cllr. T. McNamara 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 Local Property Tax by varying percentages.

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

The Chief Executive reminded the members that the needs of County Clare are growing and that there is an increase in demand for more services. He spoke of the decision made in 2017 which resulted in benefits accruing in the delivery of public services, economic development and meeting the needs of the people of the county.

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 Local Property Tax rate would make in the county.

Many members expressed the view that it was fundamentally important that the Local Property Tax remain at the 2017 level. The members expressed concern of the amount of Local Property Tax paid by householders in Clare that is returned to central government for re-distribution.

Cllr. P.J. Kelly proposed that the general Municipal District allowance be increased to €300,000 per municipal district. The Chief Executive, in response, reminded the members that the discussion today was around the adjustment factor only and whether or not to reduce or increase the Local

Property Tax 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.

Ar moladh Cllrs. P.J. Kelly agus P. Hayes
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, 2017 to 31 October, 2018, in respect of relevant residential properties situated in the administrative area of Clare County Council.”

On the request of the Cathaoirleach with was agreed by a show of hands.

Any other business

It was proposed by the Cathaoirleach Cllr. T. McNamara and seconded by Cllr. J. Breen and agreed by all present that a briefing would be held on Monday 9th October, 2017 at 2:15 p.m. to discuss draft report on River Basin Management Plan.

The meeting then concluded at 3:30 p.m.

Signed:

Riarthóir Cruinnithe

Signed:

Cathaoirleach

Date:
