

**Minutes of the February Monthly Meeting of Clare County Council held in the
Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on
Monday, 12th February, 2018 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, A. O'Callaghan, J. 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. Loretta McNamara, Staff Officer.
- Mr. Liam Conneally, Director of Service.
- Mr. Leonard Cleary, A/Director of Service.
- Ms. Noeleen Fitzgerald, Financial Accountant.
- Mr. John Leahy, Senior Engineer.

The Cathaoirleach, Cllr. Tom McNamara presided.

Item 1: Minutes of Council Meetings.

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

“That the Minutes of the January Meeting of Clare County Council held on 8th January, 2018 be adopted and signed.”

Votes of sympathy.

At the outset votes of sympathy was expressed to the following:-

- The McNulty family, Newmarket on Fergus, on the death of Julia McNulty, R.I.P.
- The Malone family, Liscannor on the death of Mary Malone, R.I.P.
- The Hogan family, Ballyea on the death of Jimmy Hogan, R.I.P.
- The McInerney family, Sixmilebridge, on the death of Maura McInerney, R.I.P.

Cllr. P. Hayes on behalf of Fianna Fáil group, proposed a full adjournment as a mark of respect to Colm Wiley, former Councillor and Cathaoirleach. He spoke of his wit, humour and his great character, together with his loyalty to Clare County Council. He worked hard to get the road to Tulla and Scariff upgraded and his continued support to Raheen Community Hospital was particularly notable. He worked quietly and

effectively to support local communities of East Clare. He also spoke of his pride in being captain of Brian Ború team, who won a Junior County Final.

Cllr. J. Cooney seconded the adjournment on behalf of the Fine Gael group and spoke of Colm's 30 years in Clare County Council and his time as Cathaoirleach. He extended his sympathy to Colm's wife Marie, his daughters Siobhan, Catherine, Niamh and Sinead and his son Liam.

He paid tribute to Colm as a great friend of the GAA and his achievements in 1965 and 1966 of winning two All Ireland Junior Medals with London GAA.

Cllr. G. Flynn spoke on behalf of the Technical Group and in particular recalled a Council meeting held in Shannon Airport where Standing Orders were the subject matter.

The Chief Executive spoke on behalf of the staff and retired staff and shared the expression of sympathy from all in Clare County Council.

Prayers were recited for the happy repose of his soul.

The meeting was adjourned to Monday, 19th February, 2018 at 3:45 p.m.

Item 12. Deputation from the Union of Students of Ireland at 3:00 p.m.

The Mayor, Cllr. T. McNamara welcomed Mr. Jimmy McGovern, Vice President for the Border, Midlands and Western Region of the Union of Students of Ireland. Mr. McGovern outlined the background to the current levels of funding for higher education, the 30,000 increase in student numbers between 2009 and 2014 and stated that 10 of the 14 Institutes of Technology are in serious financial difficulty. He pointed out that Ireland has the second highest higher education fees in Europe, with a 363% increase in fees in the last 7 years.

In his presentation, he set out the findings of the Cassello Report, the expert group set up to examine the funding strategy for higher education and that an increase of €600 million in public funding is needed between 2016 and 2021 to address urgent quality and sustainability challenges.

The position of the U.S.I. is that they oppose the Income Contingent Loan (I.S.L.) scheme and he set out the reasons for same. The U.S.I. represents 374,000 students.

The Mayor and the members thanked Mr. McGovern for his presentation and identified with the issues raised, as parents and as public representatives, and generally supported the position of the U.S.I. on this issue.

Cllr. M. McKee who had originally proposed the deputation advised that he will bring forward a motion of support.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____

Minutes of the adjourned February Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 19th February, 2018 at 3:45 p.m.

Present:

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

- Mr. Pat Dowling, Chief Executive.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Loretta McNamara, Staff Officer.
- Ms. Anne Haugh, Director of Service.
- Mr. Liam Conneally, Director of Service.
- Mr. Leonard Cleary, A/Director of Service.
- Mr. Brian McCarthy, A/Director of Service.
- Mr. Tom Tiernan, Senior Engineer.
- Ms. Noeleen Fitzgerald, Financial Accountant.

The Cathaoirleach, Cllr. Tom McNamara presided.

Votes of sympathy.

At the outset votes of sympathy was expressed to the following:-

- The Griffin family, Ruan, on the death of Mary Griffin, R.I.P.

Item 2: Matters Arising.

There were no matters arising.

Suspension of Standing Orders.

The following was proposed by Cllr. J. Breen, seconded by Cllrs. C. Curtin and G. Flynn and agreed by those present.

“I propose the suspension of Standing Orders to discuss the threat to medical services at Mid Western Regional Hospital, Ennis.”

This was agreed by all members present.

The members sought reassurance that the current level of service at Mid Western Regional Hospital, Ennis will be maintained and that no further downgrading or reduction in services should take place.

The Members also highlighted the fact that the Members on the H.S.E. West Forum have raised these issues and there was welcome for the recent decision to retain the seven day service.

It was agreed to write to the H.S.E., the Minister for Health, Oireachtas Members and Prof. Paul Burke, H.S.E. in this regard.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. A. O'Callaghan agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 6th December, 2017 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 13th December, 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 Meeting held on the 14th November, 2017 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 18th December, 2017 be noted.”

e. Ar moladh Cllr. R. Nagle
Cuidithe ag Cllr. B. Slattery agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 5th December, 2017 be noted.”

f. Ar moladh Cllr. C. Curtin
Cuidithe ag Cllr. B. Slattery agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 11th December, 2017 be noted.”

Item 4: Minutes of S.P.C. Meetings.

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

“That the minutes of the Economic Development S.P.C. meeting held on 13th November, 2017 be noted”.

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

“That the minutes of the Rural Development S.P.C. meeting held on 21st November, 2017 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 2nd January, 2018 as presented.

Item 6: Monthly Management Report.

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

Cllr. C. Curtin welcomed the Rural Water Programme allocation being announced earlier in the year, and he also queried staffing levels. Cllr. J. Flynn referred to the 2002/2003 Ennis Main Drainage Scheme and queried where this is at now. He welcomed the works being carried out in Quin and Clarecastle. Cllr. B. Slattery wished to know was money available for works to Lahinch South Promenade. Cllr. P. Hayes looked for an update on Murtyclough. Cllr. G. Keating advised that a community has been waiting 44 years for a sewerage scheme in Carrigaholt and that the initiative needed to come from Clare County Council. Cllr. G. Flynn was glad to see the Shannon Embankments included in the report and looked for an update from the Senior Engineer. He paid tribute to Mr. T. Forde and staff on the new recreational projects in Lees Road and Kilrush. Cllr. M. Begley referred to the flood relief scheme in Springfield, Clonlara and wished to know if the technical, environmental and economic appraisals were being done in parallel and what was the timeline for completion of the project.

In answering the queries raised the Chief Executive confirmed that wastewater was a major issue. There are significant proposals at national level and Clare County Council need to see how we can progress capital projects in County Clare. In relation to Shannon Embankments the Chief Executive advised that he was expecting a report

by the end of March outlining how the works can be progressed and the finances provided.

Ms. A. Haugh, Director of Services confirmed that the grant allocation under the Rural Water Programme had been received earlier than previously. The Council is still awaiting approval from the O.P.W. in relation to Ennis South Flood Relief Scheme. In relation to Lahinch Promenade the Council is still in liaison with the Department and O.P.W. regarding funding for such projects.

In relation to Shannon Embankments, Mr. T. Tiernan advised that both the O.P.W. and Shannon Airport Authority are also pursuing this matter. Mr. T. Tiernan advised that as Murtyclough is a very environmentally sensitive area a Natural Impact Statement (N.I.S.) is required and the formal planning process has to be conducted by An Bord Pleanála rather than a Part VIII process.

Item 7: Disposal of property at 82 Elton Court, Meelick, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 1st February, 2018 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 an area of property at Elton Court, Meelick, Co. Clare subject to the conditions as set out in the notice served on the members dated 1st February, 2018.

Ar moladh Cllr. P.J. Ryan
Cuidithe ag Cllr. P. McMahon 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 Elton Court, Meelick, Co. Clare subject to the conditions as set out in the notice served on the members dated 1st February, 2018.”

Item 8. Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001-2013 for the proposed new public library, gallery space and associated office space at glór, the Causeway, Ennis, Co. Clare.

Report dated 29th January, 2018 from Liam Conneally, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to develop a new public library gallery space and associated office space at glór, the Causeway, Ennis, Co. Clare.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. A. Norton agus glacadh leis

“That pursuant to Part XI, Section 179 of the Planning and Development Act, 2000 (as amended) and Part VIII, Article 80 and 81 of the Planning and Development Regulations 2001 – 2010, Clare County Council proceed with the proposed

construction of a new public library, gallery space and associated office space at glór, the Causeway, Ennis, Co. Clare.”

Item 9. Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001-2013 for the proposed housing development with access road, public lighting and all associated ancillary site development works at Baurroe, Feakle, Co. Clare.

Report dated 29th January, 2018 from Liam Conneally, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to develop 13 No. dwelling houses with access road, public lighting and all associated ancillary site development works at Baurroe, Feakle, Co. Clare.

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

“That pursuant to Part XI, Section 179 of the Planning and Development Act, 2000 (as amended) and Part VIII, Article 80 and 81 of the Planning and Development Regulations 2001 – 2010, Clare County Council proceed with the proposed construction of 13 No. dwelling houses at Baurroe, Feakle, Co. Clare.”

Item 10. Request for approval for loan for housing planned maintenance programme.

Report dated 31st January, 2018 from Liam Conneally, Director of Social Development was circulated with the agenda. The report states that the approval of the Council is sought to the raising of a loan of €10m in accordance with Section 106 of the Local Government Act, 2001 to fund the Planned Maintenance Programme for our social housing stock which is planned to be drawn in phases over the coming years.

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

“That in accordance with Section 106 of the Local Government Act 2001, the Council hereby approves the raising of a loan of €10 million to fund the Planned Maintenance Programme for social housing stock.”

Cllr. C. Curtin wished to know was this loan making up for deficit in Government funding. Mr. L. Conneally, Director of Services advised that the Government funding is through the voids programme and by carrying out planned maintenance works programme, the Council is future proofing its housing stock. Cllr. G. Flynn asked were there proposals to have our own maintenance team. Mr. L. Conneally, Director of Services replied that while the Council always tries to broaden its skills base, much of the work will be done under the contractors framework.

Item 11. Doolin Harbour Bye Laws, Harbour Charges.

Report dated 6th February, 2018 from John Corry, Administrative Officer, Transportation was circulated with the agenda. The report states that it is proposed to

amend the Harbour Charges which are provided for in the Doolin Harbour Bye Laws 2017 because the capacity of the passenger ferries has substantially increased in some instances since the existing charges were adopted.

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

“That in accordance with Section 199 of the Local Government Act 2001 and Sections 13 and 89 of the Harbours Act 1996 that Clare County Council propose to amend the Harbour Charges set out in the Doolin Harbour Bye Laws 2017 to those agreed by the West Clare Municipal District and set out in report served on the members dated 6th February, 2018.”

Item 12. Deputation from the Union of Students of Ireland at 3:00 p.m.

This deputation took place at the February meeting on 12th February.

Item 13. Adverse weather events.

Ar moladh Cllr. J. Flynn

“That Clare County Council outline the protocols in place in each municipal district including the resources available to respond in a timely manner to threats to property, public safety resulting from more frequent adverse weather events. Resources meaning all personnel (outdoor, emergency services, Municipal District staff, contractors on call, etc.), equipment, depots, training and transport capability in each of the municipal district.”

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“First of all it is important to point out that protocols are broadly similar across the entire county and any variation there may be from one location to another would depend on local issues which pertain or the variation in severity from one part of the county to another during any particular adverse weather event. Also, in many situations, the response can be a combination of centralised and local resources – this is appropriate in a county like Clare where the Council’s headquarters and associated central depot are located centrally in a geographical context in the county.

One of the most important aspects of being in a position to implement protocols as successfully as possible is the concept of having as much advance information as possible in the event that adverse weather conditions are going to evolve. In this context, two of the Council’s Engineers have an ongoing weather monitoring role so that alerts can be raised and resources can be made ready for deployment in the event that the potential becomes a reality. Alerts raised on foot of indications of the evolution of severe weather conditions can vary from advisories via text alert or social media to warn the public of precautions they should take to more comprehensive hands on activation – depending on the nature, extent and potential safety implications associated with what is envisaged. Such alerts may be pertinent in a consistent manner across the entire county or over part of the county or they may have

varying emphasis from one part of the county to another. We aren't solely dependent on social media platforms for engaging with the public in an alert context – we also use media outlets when appropriate and over the years we have developed a very positive proactive and constructive relationship with local radio in particular.

There are 4 key weather related elements which either individually or in varying combinations have the potential to generate adverse weather conditions to which the Council may be required to respond. These are rainfall, wind, various cold weather conditions and sea swell and tidal cycles. The protocols which apply in relation to each of these individual conditions vary significantly from one to the other but the reality is that it isn't always as simple as having to deal with just one. In many situations adverse impact materialises because of a combination of 2 or more of these conditions. No 2 weather events are the same and, therefore, there is usually a very significant element of judgement regarding how protocols can be combined to best effect and how resources can be deployed and managed most efficiently. With regard to the aforementioned individual conditions, I can outline some details as follows:

Rainfall: Rainfall can manifest its impact from a flooding point of view through fluvial or pluvial impacts i.e. through watercourses overflowing sometime after large-scale rainfall has occurred on catchments or through instant impact as a result of very intensive rainfall over a relatively short to medium period of time. The Council has in place a series of Flood Action Plans which have been individually prepared to facilitate effective response in a no. of centres which have previously experienced flooding. Each plan incorporates details of vulnerabilities, advance works and resources which may need to be deployed, communication protocols which may need to be implemented, details of additional resources which may need to be on standby and so on. The fact that action plans are in place in relation to high risk, high impact locations facilitates more efficient use of resources in relation to other locations which may be impacted.

Wind: In relation to wind, the most important function of the Council in advance is to have an awareness of the potential impacts of an evolving storm and communicate same with an advisory that usually stresses the importance of staying at home unless it is necessary to do otherwise and to secure any potential projectiles which could cause damage or put other people at risk. Equally, the Council would take similar advance precautions in relation to the securing of temporary road signage etc. Depending on the severity of a wind storm, Council resources may have to stand back until the worst has passed on safety grounds. Where feasible, it is important to be in a position to put traffic diversions in place as soon as possible so that motorists can avoid conflict with falling trees etc.

Cold Weather conditions: The Council updates its Winter Service Plan annually. This outlines the protocols involved in delivery of the road treatment/salting service throughout the 7 month winter period which runs from October to April inclusive. The plan also deals with the more severe events of this nature – heavy snow events, extreme, continuous low temperature events and so on. The Council's base for winter maintenance purposes is at the Beechpark Depot, Ennis – 7 salting units cater for the strategic road network throughout the county when required, covering a distance on each occasion of over 700 km. Apart from storage capacity for more than 3,000 tonnes of salt, the Council also has a total of 8 snow ploughs which are ready to be deployed when appropriate. In addition, each area depot keeps a relatively small quantity of salt in stock so that it can deal with urgent local issues should they arise.

In extreme situations, the Council is in a position to establish up to 40 temporary grit depots throughout the county for public facilitation purposes.

Sea surge and high tides: Obviously the main impact here is in coastal areas and any inland areas where there is a tidal influence. The main impacts are likely to be coastal flooding and sometimes structural damage depending on the direction and intensity of the accompanying wind. Clear, advance public advisories are important to discourage people from going near the coast and to advise those in vulnerable areas to secure their property and possessions. Where appropriate, pertinent flood action plans are consulted and the relevant advance and subsequent actions are implemented.

Resources

The Council draws most of the resources it requires to respond to severe weather situations from within its own structures. In this regard, such resources come from its engineering and other technical staff, outdoor staff, the fire service, Clare Civil Defence, administrative support and the Council's crisis management team. The levels of intensity of involvement in relation to severe weather events can be summarised as follows:

- Up to 30 engineering and other technical staff
- More than 140 outdoor Roads staff – with additional support from the Water Services area particularly where a weather event impacts on Water Services infrastructure. It should also be noted that a significant proportion of the Council's staff who deal with severe weather events on the ground received Water Awareness Training within the past 12 months.
- Up to 20 drivers and mechanical staff from the central depot at Beechpark
- Up to 25 administrative and clerical support staff
- Up to 60 items of Council owned plant including large and small trucks, excavators, teleporters, pumps, dumpers and so on
- 7 Fire Brigades across the county and associated personnel supported by a range of multi-purpose vehicles, 4 wheel drives, water tankers and a range of other specialist mechanical equipment including pumps, chainsaws, generators, air lifting mats, cranes, specialist P.P.E. for flooding and water rescue purposes and so on – all under the direction of the Chief Fire Officer and his team of Senior Officers
- Civil Defence resources including 84 active volunteers with capacity to deploy a further 35 if required, an array of 23 vehicles including a mobile control unit, ambulances, trailers, off road jeeps, boats, kayaks, a fire tender, a mini bus and a water rescue craft – in addition there is a range of specialist equipment including drones, a floating pontoon, inflatable tents, specialist cameras and teams within the Civil Defence have been trained as specialists in areas such as technical rescue, search and rescue and swift water and flood first responder disciplines.

Apart from the foregoing, a wide range of external supports are available from specialist facilitators such as plant hire companies, specialist equipment suppliers of various guises, specialist contractors, local contractors at various locations throughout the county who have developed a rapport with Area Engineers and so on. In addition,

the defence forces are available and are generally in the communications loop from an early stage so that they are aware of potential needs as weather events develop.

The Council retains stocks of equipment to provide necessary support during severe weather events – including sand bags, pumps, signage, cones, cordoning barriers and so on. The stocks of sand bags vary from one engineering area to another and tend to be reflective of the extent to which they were required during previous events.

Humanitarian requirements are catered for through the Council's Housing Department who are in a position to arrange alternative accommodation for people whose homes become inundated by flood waters or are inaccessible.

Communications

The Council's out of hours phone is operational at all times outside office hours – including 24/7 over week-ends and bank holidays. In the event that the level of activity on the out-of-hours phone exceeds a pre-determined level of intensity, the Council establishes a help desk staffed by whatever no. of trained and specialist personnel are required to ensure that communications from members of the general public are dealt with efficiently and are clearly understood and dispatched appropriately for attention to the appropriate personnel on the ground. All information communicated from the general public and from other sources is collated and used, where appropriate, via social media, local radio and so on to keep people updated and to advise of precautionary measures which should be taken etc. This information is also used to inform the Council's own evolving decision-making process both in strategic and more localised contexts.

Co-ordination

Once it is clear that a severe weather event, which could potentially have impact from a public safety point of view, is developing, the justification or otherwise of convening the Crisis Management Team Meeting is seriously considered. Once established, the Crisis Management Team is tasked with strategic response decision making with input from the other key agencies including the Gardai and the H.S.E. as well as the various components of the local authority as referred to above. With regard to co-ordination of activities and responses, the following are among the Crisis Management Team participants who have specific roles in this regard:

- Senior Engineer, Transportation in relation to activities throughout all of the Engineering Areas. In each area, the Area Engineer co-ordinates and manages all operations and provides support based on a range of criteria including potential impact on property, safety, humanitarian circumstances, functionality of strategic public roads and so on.
- Chief Fire Officer in relation to all fire service related activities.
- Civil Defence Officer in relation to all civil defence related activities.
- Communications Officer in relation to updating, collation and dissemination of evolving information.

The Crisis Management Team meets periodically throughout every day during which an event continues – regularity and review being most intensive during the peak

period of the event. Equally there is regular liaison with the National Emergency Co-Ordination Group to facilitate constant exchange of information which ultimately informs ongoing decision-making in both fora. The Crisis Management Team ultimately decides when it is appropriate to stand down based on clarity of information to the effect that the event which prompted its convening in the first place has passed.”

Cllr. J. Flynn thanked Mr. T. Tiernan, Senior Engineer for his detailed report. Cllr. C. Curtin asked for a more specific response and a plan of action for each area. Cllr. G. Flynn said that it was a good response but felt that the area of Communications needed to be developed beyond that of emergency phone and help desk in order to support the public in times of distress who may not know the phone number or who to contact. Also, he stated that the holder of the Emergency Phone needs to be fully briefed on the situation. Cllr. I. Lynch expressed concern regarding the level of training for staff in dealing with the situation they meet, e.g. driving in icy conditions. Cllr. P.J. Kelly supported the views expressed and said that the systems in place needed to be constantly reviewed and updated.

The Chief Executive agreed that it was about learning from events and improving the systems in place. He confirmed that full training was provided to staff and protocols were in place as to when to and not to attend incidents. The scale and nature of weather related incidents was continually changing and the Council responds to these changes. The Chief Executive also confirmed that there is a comprehensive asbestos remediation programme in place.

Item 14. Electric car charging points.

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

“This Council requests a report from the E.S.B. on it's plans to repair, maintain and extend the electric car charging points in County Clare.”

William Freney, Senior Executive Engineer, Physical Development replied as follows:

“Clare County Council has contacted the E.S.B. and have been informed that

“The Commission for Regulation of Utilities (C.R.U.) decision in October 2017 gave ownership of the public electric vehicle (E.V.) charging assets to E.S.B. Networks. The operation and maintenance of the public E.V. charging system remains with E.S.B. Group.”

Clare County Council has requested a report from the E.S.B. on it's plans to repair, maintain and extend the electric car charging points in County Clare.”

Cllr. M. Howard advised that there had been 4 charging points in Ennis and this has now been reduced to 2. The members asked that a charging point be installed in Kilrush.

Item 15. I.P.B. insurance – retained earnings dividend

Ar moladh Cllr. C. Colleran Molloy

“That the C.E.O. provide an update to Councillors on the works that will be undertaken with the I.P.B. Insurance extraordinary dividend that was declared to be distributed at the I.P.B. Insurance 2017 A.G.M.”

Pat Dowling, Chief Executive replied as follows:

“It was initially anticipated that allocations to local authorities from the IPBMI Retained Earnings Distribution would be made in Quarter 3 or 4 of 2017. It was recommended by IPBMI at that time that the significantly increased dividend presented an opportunity for local authorities to invest in improvements to their risk management capabilities and in tackling known claims hot spots.

While the Council has only just recently received notification that the sum allocated to Clare is €2.371m, the development of a proposed programme of expenditure under this heading now requires further engagement with IPBMI as well as consultation with the elected members. It is anticipated that this engagement will inform the development of a programme of actions which will include necessary infrastructural improvements on footpaths in towns and villages to address risks associated with slips, trips and falls but also will likely encompass other potential risks such as road conditions, public lighting deficiencies, environmental or health and safety hazards. The Council will also take into consideration any recommendations for improvements to the systems and processes for claims handling and risk management.

It is proposed that consultation with the members on the distribution of this fund will be conducted in the course of consideration of the Schedule of Municipal District Works at the March round of Municipal District Meetings.”

Cllr. C. Colleran Molloy thanked the Chief Executive for his response and asked what will I.P.B.’s involvement be in the future. She also asked what the reason for the delay was and if there were resulting funding decreases from Central Government.

The Chief Executive advised that I.P.B. are in the process of distributing €2.37m and this money should be invested in Claims Risk Management, e.g. known claims hot-spots, public lighting and road improvements. The I.P.B. has mapped out the areas of greatest needs. The Council should be very strategic in where money is invested and a programme of works which will be carried out over a number of years will be agreed in March. The Chief Executive confirmed that there will not be any funding decreases from Central Government.

Item 16. Road opening licenses.

Ar moladh Cllr. A. O’Callaghan
Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That the Senior Engineer would inform the Council of controls in place to ensure that terms and conditions of road opening licenses granted to public utility providers

are carried out in accordance with these terms and conditions. That this Council would review its current practice in relation to this activity.”

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“The entire area of licensing is very much under review and in transition at present. Over the past 2 – 3 years the document which has governed licensing and controls in relation to openings in public roads by private or other 3rd party entities has been reviewed and the updated version (Guidelines for Managing Openings in Public Roads) – known as the purple book – was published in April, 2017. The most challenging aspect of the review which was conducted and steered by a cross sectoral working group at national level were the deliberations with the various utilities – telecommunications companies, E.S.B., Bord Gais, Irish Water and so on. One of the key goals of the review was to establish a National Licensing system supported by the Road Management Office which would bring consistency in terms of policy, controls on charging of fees across the country in lieu of the previous approach which involved a wide variation of policies, systems and fee structures from one local authority to the next.

While the new purple book has been available and in use since April, 2017, the other two key components have not yet been closed out and the position in this regard is as follows:

The MapRoad Roadworks Licensing (M.R.L.) system is a computer based on-line licensing system through which all road opening licences have to be processed into the future. The transition to this new system is almost completed in that more than 90% of all applications are now submitted through it and since the beginning of this year Clare County Council hasn’t been accepting applications by any other means. It brings clarity in terms of process, timing, responsibilities, liabilities and so.

While a lot of work has been done to develop a standardised fee structure to apply across the country, it hasn’t been concluded and, therefore, all local authorities are continuing to operate their original individual fee structures. I understand that there is to be a significant step in terms of changeover to the new fee structure very shortly.

While the entire issue remains in review as outlined above, there is buy-in by most users of the system in terms of compliance. Irish Water hasn’t yet agreed to use the system and would appear to be waiting until the review delivers a more clear-cut approach – particularly in terms of fee structure. At present, the approach taken by Irish Water is that excavations are carried out when they need to be as provoked by watermain leaks and so on, a temporary restoration is implemented following back-filling and there is a tendency to delay permanent restoration pending the accumulation of a no. of locations where such restoration is needed. To date Irish Water hasn’t adopted to the principle of applying for road opening licences (retrospectively or otherwise) and neither has there been any payment of fees. I have requested an update on progress in relation to Irish Water from the R.M.O. within the past few days.

Apart from the Area Engineers vigilance in terms of ensuring that works are carried out in accordance with licence requirements, the key control arises from the fact that

all licensees are legally liable for the quality of reinstated road openings for a period of 24 months following implementation and such locations only come back under local authority control upon signing off by the Area Engineer.”

Cllr. A. O’Callaghan outlined the reasons for putting forward this notice of motion and thanked the Senior Engineer for his report. The members asked that the Council review its current practice and introduce a bond type payment arrangement which could be refunded to the applicant within twelve months if the works were carried out according to the licence. He suggested that perhaps the fees should be increased and if work is completed to a satisfactory level that a percentage could be returned. A number of Councillors commented that since the introduction of the “Purple Book” standards had improved.

In responding to the queries raised Mr. T. Tiernan, Senior Engineer advised that a new “Purple Book” was being introduced which would take into account recent developments and he hoped to get clarification in relation to fees in the near future. He stated that the system is being prepared through the Roads Management Office (R.M.O.) but the capacity of the Area Engineer is not being compromised except more streamlined. Fees would be standard throughout the country. In relation to bonds, he thinks this may be included as an option.

Item 17. Salt/grit bins adjacent to National Schools.

Ar moladh Cllr. P.J. Ryan

Cuidithe ag Cllr. M. Howard agus glacadh leis

“That this Council would install a salt/grit bin adjacent to all National School in the County that are not on the routes where a gritting service is provided.”

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“While I understand the motivation behind this notice of motion, I would have concerns regarding its implications and whether the risk, which in an ideal world would be mitigated, would in fact be exacerbated.

The fact that the notice of motion specifically suggests that the salt/grit bins should be adjacent to schools where a gritting service isn’t provided on the adjacent routes would suggest that the purpose of the installations would be to use the content of the bins to treat the public road on a frosty morning. This immediately raises questions regarding:

- Who would decide well in advance of school starting time that the road needs treatment
- Who would deploy the treatment
- Who would service the bins by filling them periodically as required
- etc.

If the bins were provided, is the assumption behind this notice of motion that the school authorities would be offering to decide when salt or grit should be applied to the public road in the vicinity of the school, would they be actually doing so and

would they be taking responsibility to replenish the bins when required. Would they be willing to take on the liabilities that go with the responsibilities in this regard. Or alternatively, would the expectation be that the Council would take on all of these responsibilities and liabilities.

There are a considerable no. of schools throughout the county which aren't located adjacent to salting routes and, therefore, what is proposed would absorb significant resources – particularly if there is an accompanying expectation that the Council would carry all the responsibilities that go with the endeavour as referred to above. For this to work well, the school authorities would have to want it and would have to engage and work in partnership with the Council in a manner which would minimise the Council's liabilities and would be satisfactory to both parties. To date, there have been no enquiries from schools regarding what is suggested here.”

Following a discussion on this motion, the Chief Executive agreed to explore options for a solution to this.

It was agreed to take Notice of Motions 18 and 19 together.

Item 18. Household waste.

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

“That in view of the increase in illegal dumping of household waste throughout the County and the additional cost of cleanups to Clare County Council, that a review of Council policy be considered and in an effort to reduce this serious issue that an initiative be put in place by the Council in line with the spring cleanups to finally come to grips with this disgraceful behaviour. What I'm requesting is a more proactive and targeted approach this year.

That skips be provided in all Council estates for 1 day to remove additional waste
The Council visit all residential areas and demand evidence from occupants to
Identify means used to dispose of waste.

The use of CCTV monitoring be increased and prosecute offenders.”

Anne Haugh, Director of Physical Development replied as follows:

“Illegal dumping is an ongoing nationwide issue and not just confined to County Clare as can be evidenced by the fact that the Minister for Communications, Climate Action and Environment, Denis Naughten introduced the Anti-Dumping Initiative in 2017 to target this behaviour and to raise public awareness. This initiative is being continued countrywide for 2018. Clare County Council's environment section is involved in the enforcement and clean-up of such activity.

The Polluter Pays Principle underpins EU environmental policy and legislation and is applied by Member States. Specifically, EU and Irish waste legislation requires that households as well as other waste producers must pay for the costs of disposing of their waste. Irish Government policy is to apply the polluter pays principle. This means that the generator of the waste is obliged to ensure that the waste is properly

managed. This applies equally to householders and Irish businesses. Clare County Council is required to comply with existing legislation and national policies.

The issue of illegal dumping taking place in the county is one which is being addressed through the work of Clare County Council's dedicated Waste Enforcement Team. The team (inter alia) responds and takes appropriate enforcement action in relation to waste and litter complaints. Where evidence of acts of littering or illegal dumping is found then action is taken under relevant litter pollution and waste management legislation.

The Waste Enforcement Unit takes a proactive approach in dealing with illegal waste and litter activities, including vehicle checkpoints, use of CCTV surveillance, targeting of illegal dumping at problem locations. The Team works in cooperation with municipal district offices, the general public, community groups and facilitates planned inspections of waste facilities, audits of waste collection permit holders and provides information to the public.

(a) That skips be provided in all Council estates for 1 day to remove additional waste

The provision of skips in all council estates for one day to remove additional waste would be in contravention of the 'polluter-pays' principle in waste legislation. It is the responsibility of all individuals to dispose of their waste in a responsible and compliant manner. Clare County Council operates over 50 bring sites and 4 No. Civic Amenity Sites/Transfer Stations throughout the county for the correct disposal of waste in a cost-effective manner as well as providing free Hazardous Waste Collection days for the public at various times.

(b) The Council visit all residential areas and demand evidence from occupants to Identify means used to dispose of waste.

The enforcement section of Clare County Council has limited resources and it is not feasible to visit all residential areas. It should be acknowledged that the majority of the public are compliant with the law and are disposing their waste in a responsible manner and so do not require a visit by enforcement staff.

Clare County Council's Waste Enforcement Team regularly liaises with waste collection companies to establish the waste collection status of individual house owners throughout the county. Where gaps are identified, individual house owners are contacted and engaged with under Section 18 of the Waste Management Act (as amended) to establish how they manage their waste. Experience has shown this approach to be an effective and efficient use of resources to gather such information. When required, blanket waste collection service surveys are carried out on housing estates and other targeted areas, using Section 18 of the Waste Management Act.

A central database is used to record and maintain records in relation to environmental pollution and complaints. This is linked to a digital mapping system which records, using co-ordinates, the precise location of any environmental complaint. This system is ideal for remote locations and allows for an overall county wide picture to be established in relation to environmental complaints

(c) The use of CCTV monitoring be increased and prosecute offenders."

The enforcement section of Clare County Council uses both covert and overt CCTV to monitor illegal dumping activities throughout the county. The Environmental Patrol Warden and Community Wardens in each Municipal District all have access to CCTV cameras in order to detect illegal dumping. Presently Clare County Council has 7 No.

covert and 6 No. overt cameras to deploy around the county at any time. These cameras are used in order to gain video or photographic imagery of individuals who illegally dump material which can then be used to take successful prosecutions. Clare County Council has this week secured a court conviction against an individual caught on covert cameras dumping material illegally.”

Item 19. Waste collection service.

Ar moladh Cllr. M. Begley

Cuidithe ag Cllrs. J. Crowe agus M. Hillery agus glacadh leis

“That Clare County Council use the Eircode system to identify households that do not use a licenced waste collection service and that the Council would contact those to ascertain how they dispose of their household waste.”

Anne Haugh, Director of Physical Development replied as follows:

“I welcome Councillor Begley’s comments in relation to the use of the Eircode system to identify households not using a licenced waste collection service. The Eircode website (www.eircode.ie) is a useful database and is often consulted by the Waste Enforcement Team when investigating and managing complaints. It is one of a number of tools which are used by the team to identify locations and address complaints including investigations into waste collection services and waste disposal.

Clare County Council’s Waste Enforcement Team regularly liaises with waste collection companies to establish the waste collection status of individual house owners throughout the county. Where gaps are identified, individual house owners are contacted and engaged with under Section 18 of the Waste Management Act (as amended) to establish how they manage their waste. When required, blanket waste collection service surveys are carried out on housing estates and other targeted areas, using Section 18 of the Waste Management Act.

A central database is used to record and maintain records in relation to environmental pollution and complaints. This is linked to a digital mapping system which records, using co-ordinates, the precise location of any environmental complaint. This system is ideal for remote locations and allows for an overall county wide picture to be established in relation to environmental complaints. It is anticipated that the enforcement team will continue to make more use of the Eircode system.”

Cllr. G. Flynn advised that we received €40k. last year and was of the opinion that the level of compliance in Local Authority estates could be increased. As part of the Tidy Towns initiative in Shannon skips were provided in some of the estates. He felt that the Housing and Environment Sections should work together to put preventative actions in place. Councillors expressed the view that dumping was an increasing problem and action needed to be taken. The work of the various Tidy Town Committees was complemented.

Ms. A. Haugh, Director of Services in responding to the issues raised advised that the anti-dumping initiative was a welcome tool and while funding is modest the Council would be applying for funding again this year. The Council has been implementing the Household Waste By-laws but due to lack of resources has not been able to go into every estate, full compliance has been achieved in one estate. It was agreed that

the Environment Department would engage with the Housing Department in conjunction with Spring Clean 2018 to seek to facilitate some of the proposals in this motion. Mr. L. Conneally, Director of Services concurred with his colleague.

Item 20. Road improvements.

“Considering that road improvements to back lanes of the many local authority estates throughout the county appears to be a problem due to lack of funding, I am requesting that Clare County Council would apply to the Community Involvement Scheme on behalf of the residents.”

Cllr. P. It was agreed that this item be deferred to the March meeting.

Item 21. Drainage works.

Ar moladh Cllr. P. Burke

"Following the recent announcement of increased funding for drainage works throughout the County, how and where do the local authority intend spending this money and also can the Council outline what rivers are the responsibility of the OPW in the County."

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“A “drainage” allocation is provided among the grants for 2018 which have been confirmed recently by the Department of Transport, Tourism and Sport. It is likely that this grant will be augmented by further funding from the Council’s own resources and the details regarding how and where it is proposed to spend this money will be outlined in the draft Schedule of Municipal District Works which is to be brought for the consideration of Municipal District Councillors in March. Very little in terms of decisions have been finalised yet in relation to what will be proposed other than that it is likely that a proportion of the funding will go towards repair and remediation of existing road drainage facilities and some will be allocated to arterial drainage works.

With regard to what rivers are the responsibility of the O.P.W. in the county, the position is that in Clare only a very small proportion of the waterway systems are relevant in this regard. Apart from the Ennis Town central flood relief schemes which were constructed under the control of the O.P.W., the following systems fall under their responsibility as determined under the 1945 Arterial Drainage Act:

- The Cree river system in West Clare
- A series of mini catchments south of Ennis and to the west and east of the Fergus Estuary
- A series of mini catchments between Shannon and the fringes of Limerick City which outfall to the Shannon Estuary.”

Cllr. P. Burke asked the Council to assess the condition of the River Fergus at Lisduff, Ruan with a view to carrying out works that the O.P.W. are not responsible for. He

felt that the Council needed to look after the rivers that the O.P.W. were not dealing with.

Item 22. Upgrade local and minor roads.

Ar moladh Cllr. J. Cooney

Cuidithe ag Cllr. M. Hillery agus glacadh leis

“In light of the increase recent funding allocated towards road upgrades, I am calling on Clare County Council to invest extra funds towards the local and minor roads of County Clare. Some of these roads are currently in poor condition due to the lack of maintenance they have received over the last number of years.”

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“I concur fully with the suggestion that some of these roads are currently in poor condition. This is a direct consequence of the fact that funding levels over the past 10 years have been at an extremely low level (marginally more than 50% of the funding levels which pertained in 2008) – this situation provoked an approach whereby priority had to be given to the more strategic roads carrying the greatest quantities of traffic with the result that it was extremely difficult to allocate meaningful levels of funding towards local secondary and tertiary roads. In 2017 the first increase in roads funding for many years materialised in the form of a 10% increase in the improvement grant. This year the same grant has increased by approximately 18% - as is the case with the restoration maintenance or surface dressing grant. While there is still a long way to go in terms of recovery of funding levels to a level which might be deemed to be adequate, these improved funding levels will provide greater opportunity to extend the Roadworks Programme to cater in a more meaningful way for minor roads. Such matters are being considered at present as preparation of the SMDW proceeds – a draft of which will be ready for consideration by Municipal District Councillors in March. In addition, details of this year’s C.I.S. grants have not yet been issued by the Department other than to confirm that a €10m. fund will be available nationally in due course – Clare County Council will be making a bid for a significant proportion of this fund when the opportunity arises.”

The Members outlined how roads had deteriorated in recent years and funding was required and staff needed to be put on the ground to improve the situation.

Mr. T. Tiernan outlined that over the past ten years, the Council has gone through an underfunding situation but there are signs that this is improving. He said that there has been a lot more complaints recently than previous years due to the high rain levels over the last few months. Mr. T. Tiernan advised that details of the C.I.S. Scheme have been received and the closing date was the 9th March 2018 and this will form the basis for the Council’s application to the Department.

Item 23. Support for rural communities.

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

“That in order to support the survival of rural communities, a scheme of financial support not exceeding the rates on the property be made available to assist the opening or re-opening of small shops where no shop is available within the parish.”

Leonard Cleary, A/Director of Rural Development replied as follows:

“The Council’s Rural Development Directorate will work on a cross-departmental basis to support the Finance Department in the promotion and delivery of the rates specific “Long Term Vacant Property Incentive Scheme”. This scheme has the potential to support the targets of the Clare Rural Development Strategy, which has a clear focus on jobs, town and village renewal and socio-economic community building.

There may be merit in a series of Finance Information Workshops being organised with vacant property owners in each Municipal District to promote and explain the Scheme. At a practical level the Revenue Team could engage property owners in exploring the scheme through Finance Information Workshops and one-to-one contacts. The Rural and Community Development Team could liaise with community /business groups in engaging their members in the aforementioned Finance Information Workshops and one-to-one revenue information services to property owners.

In summary, the Long Term Vacant Property Incentive Scheme seeks to encourage businesses to occupy long term vacant commercial premises that have been previously occupied for commercial rates purposes. The purpose of the scheme is to give an incentive to business owners to occupy vacant premises by lowering entry costs through support and a grant related to the level of rates payable on the property. The scheme applies to all rated commercial properties in the county that have been previously occupied for commercial rates purposes.

By encouraging the re-occupation of vacant premises that were previously occupied and now vacant, the Council will support the improvement in the appearance and attraction of commercial locations and thereby will contribute indirectly to increased footfall for existing businesses.

The Council’s Finance Department will be better positioned to provide expert opinion on the scheme and has prepared an accompanying reply to this motion to explain the details.”

Noeleen Fitzgerald, Financial Accountant replied as follows:

“Further to the notice of motion please find below an outline of the Long Term Vacant Property Incentive Scheme.

This scheme was introduced as part the council’s 2016 budget to provide financial assistance to a new occupier of a long vacant property. The terms and conditions of the scheme are attached. In general terms the scheme is targeted to small and medium size properties, i.e. those with rates payable of €5,000 per annum or less. The grant is payable where a property that was vacant for more than two years is occupied by a new occupier. Grant of 75% of commercial rates payable in year one up to a maximum of €3,750, and 50% of commercial rates payable in year two up to a

maximum of €2,500 and 25% of commercial rates payable in year three up to a maximum of €1,250. The grant applies to the extent there is a net increase in occupation in the county, (relocation from one property to another equivalent property does not qualify).

The scheme is also available on the council's website and the finance department engages on a one to one contact with landlords or potential occupiers in this regard as questions or applications arise."

It was agreed that this would be further considered by the Rural Development S.P.C. and the Rural Forum.

The Members outlined the importance of the local shop and school to rural areas and the lack of same in some villages.

Mr. L. Cleary, A/Director of Services advised that he would work with the Finance Department and look at the existing scheme. The Chief Executive stated that having a shop open is one thing but people needed to use it. He confirmed that the Council needed to look at how we can assist small enterprises in creating sustainable communities and this can be considered in a budgetary context.

Item 24. Community CCTV Schemes.

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

"That Clare County Council commit to investing in Community CCTV schemes."

Leonard Cleary, A/Director of Rural Development replied as follows:

"The Department of Justice Community Based CCTV Scheme is designed to support local communities who wish to install CCTV security systems in their area, with the aim of increasing public safety and to deter illegal or anti-social behaviour. It is not available to private interests e.g. clubs or individual groups in order to provide security for specific building or premises.

The maximum grant awardable by the Department of Justice is €40,000. Within this limit, grants of up to 60% of the total capital costs of the system may be awarded. The scheme envisages that the local business and community sector would match-fund the grant. It is a matter for the Elected members to consider at Budget-time if a new grant category to support local groups with a portion of match funding for C.C.T.V. projects could be introduced.

There are currently nine categories of community grants. The Rural Development Directorate will shortly consult each Municipal district on improving the administration /co-ordination of grants and a single contact point for customers. It may be useful to further discuss the above motion as part of these consultations."

Cllr. C. Crowe thanked Mr. L. Cleary, A/Director of Services for his reply. He felt that the Council need CCTV at our key junctions with other counties.

It was agreed that the issues around Community CCTV (including Data protection and levels of grant aid), would be considered further by the Rural and Community Directorate.

Item 25. Social Housing Targets 2017 - 2021.

Ar moladh Cllr. P. McMahon

“I ask Clare County Council to outline the housing target set recently by the Department and to indicate what plans it has to achieve or surpass these targets.”

Liam Conneally, Director of Social Development replied as follows:

“On January 5th, 2018 the Department of Housing, Planning and Local Government advised of County Clare’s national social housing target for 2017-2021, i.e. 996 housing units are to be delivered via build, acquisitions and leasing arrangement through available schemes and funding mechanisms during this period. This equates to the provision of a minimum of 179 social housing units annually up to 2021.

In 2017 Clare County Council delivered ~270 housing units through build, acquisition, void refurbishment and leasing arrangements. The delivery of a substantial number of housing units was achieved in part through cooperation with Approved Housing Bodies who were assisted to complete unfinished estates to deliver high quality accommodation for social housing applicants at Lios Anama in Sixmilebridge and Ashling and Acha Bhile in Ennis.

In addition and not included in the figure above there was a net increase of 238 H.A.P. tenancies during 2017, while there was a corresponding decrease of 35 R.A.S. tenancies during this period.

Clare County Council is confident, subject to the resourcing of a dedicated capital delivery team, that the targets outlined above will be met.

The programme for delivery for the next four years is as previously indicated hereunder:

Delivery Mechanism	2018*	2019*	2020*	2021*
Acquisitions(incl part	60	50	50	50
Voids returned to stock	65	60	50	50
Additional Leased units	80	50	50	50
H.A.P. units	50	50	40	40
R.A.S. units	-30	-30	-20	-20
Additional A.H.B. units	63	61	60	60
CCC/NDFFA PPP	-	56	-	-
PPP (Ennistymon)	-	-	30	-
LIHAF (Ennis)	-	-	50	150

Item 26. Housing Grants.

Ar moladh Cllr. M. Hillery

"That the management of Clare County Council would provide the following information on the number of applications on hand at present, the average waiting time for approval and the amount of government funding required to clear the backlog for the following schemes,

1. House Aid for Older People Scheme.
2. Housing Adaptation Grant for People with a disability.
3. Mobility Aid Housing Grant.
4. Housing Adaption Grant for New Houses."

Liam Conneally, Director of Social Development replied as follows:

"The demand for all three grants continues to grow year on year and despite an increase in approvals in 2017, there remains 270 grant applications on our waiting list at the end of December 2017. Currently, the Council is reviewing the grant applications received in 2017 and the table below gives the breakdown of applications for Housing Adaptation, Housing Aid and Mobility Aid grants. The Council expects that a further 420 applications will be received throughout 2018 giving a total of 690 applications which will require funding of €2.82m - similar to that received in 2017.

The breakdown of valid Applications received in 2017 is as follows:

Grant type	No. received in 2017	Value of works
Housing Adaptation Grant for People with a Disability	77	523,677
Housing Aid for Older People	194	1,319,394
Mobility Aids Grant	155	1,054,155
Total applications received in 2017	426	2,897,226

Even with funding levels maintained for 2018 (at 2017 levels) there will be a waiting list under the various grant schemes in existence going in to 2019.

1. Housing Aid for older People Scheme

Currently under the Housing Aid for Older Persons Scheme the waiting times are from 8 to 15 months as per our priority scheme under the Grants Implementation scheme.

2. Housing Adaptation Grant for People with a Disability

Currently under this scheme a waiting list of 12 months applies.

3. Mobility Aids Grants

Currently a waiting list of 6 months applies.

4. Housing Adaptation Grant for New Houses

There are 2 grants applications on hand for this scheme with approved works payment will be made once the building works are completed by the applicants. Therefore this scheme has no waiting list.

It would be necessary to receive funding of approximately €4m in one year to clear the backlog completely and have no waiting lists for 2019.”

Item 27. Rural Resettlement Ireland.

“We are calling on Clare County Council to bring to a conclusion the transfer of ownership of twenty one social houses from Rural Resettlement Ireland.”

Cllrs. P. Murphy, P. McMahon and T.O’Brien agreed that this item be deferred to the March meeting.

Item 28. Prohibition on smoking in public facilities.

Ar moladh Cllr. T. McNamara
Cuidithe ag Cllrs. A. Norton, P.J. Ryan agus P. Burke agus glacadh leis

“That Clare County Council introduce a prohibition on smoking in all public facilities owned or operated by the local authority in the interests of public health.”

Leonard Cleary, A/Director of Rural Development replied as follows:

“At a strategic level, the Rural Development Directorate will shortly begin the process of preparing a “Healthy Clare Strategy” and the consultation process could consider this proposal and any emerging policy for inclusion in the Strategy. This is funded under the Healthy Ireland Fund. In terms of current National policy, the “Tobacco Free Ireland Report” was produced by the Tobacco Policy Review Group. It is likely that this will form part of the Healthy Clare Strategy. The two key themes underpinning Tobacco Free Ireland Report are protecting children and the de-normalisation of smoking. These share similar objectives to this motion.

At an operational level, this Motion could be considered for Council operated playgrounds. It may be appropriate for the SPC structure to discuss same and recommend to the full Council. If agreed, appropriate signage with a “no smoking /no vaping” symbol could be introduced at Council playgrounds. In addition, there are a number of community owned playgrounds that have received Council and state funding who may be open to considering such a proposal if the signage was provided to them by the Council. Some playgrounds may already have no smoking signs on them.”

It was agreed that those who recently made a presentation to the H.S.E. Forum on this subject would be invited to address the Rural Development S.P.C.

Item 29. Legal fees in 2017.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Chief Executive provide the legal fees paid by the Council in 2017 and in response the Council consider the adequacy or otherwise of the Chief Executive’s reporting initiative on legal services in his July Management Report.”

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

“Details of the legal fees paid in the year 2017 are set out below. This is also included in the monthly management report for January 2018.

This table provides a breakdown of the various types of legal fees paid, broken down between the revenue account and the capital account. It should be noted that much of the sums paid on the capital account are recoupable.

Classification	Capital	Revenue	TOTAL
Advices Legal Advice	48,172	181,690	229,862
Arbitration Costs	26,857	7,304	34,162
Barrister Fees and Legal Fees Senior Counsel	27,498	137,200	164,698
Conveyancing Leasing, Sale, Purchase of Property	80,659	19,810	100,469
Debt Collection	-	48,618	48,618

Enforcement Building control, litter	271	42,794	43,065
Enforcement Planning	-	24,623	24,623
Judicial Review	10,662	22,933	33,595
Land Registry Fees	1,280	5,570	6,850
Legal Fees General	10,737	- 11,790	- 1,054
Licensing Applications	-	4,883	4,883
Litigation	1,203	132,302	133,505
Legal Outlay Expenses	51,881	21,250	73,131
Rectification of Title, Right of Way, Wayleaves	1,301	7,750	9,051
Grand Total	260,520	644,937	905,457

I have also given a breakdown of the costs by the various service areas in the following Table.

Breakdown by Service area	Capital	Revenue	TOTAL
A Housing	149,218	106,766	255,984
B Roads and Transportation	90,385	100,665	191,051
C Water Services	10,736	-8,135	2,601
D Development Management and Tourism		308,110	308,110
E Environmental Services	4,308	73,706	78,014
F Recreation and Amenity		1,981	1,981
G Agriculture, Education, Health & Welfare	762	4,563	5,326

H Miscellaneous Services	5,108	47,874	52,983
J Central Management Charges		9,406	9,407
Grand Total	260,520	644,938	905,458

Cllr. C. Curtin expressed interest in receiving a further breakdown and wished to know where the general public can get a breakdown of this figure. Cllr. J. Flynn advised that he would like to see a cost benefit analysis.

The Chief Executive advised that while cost benefit analysis may work in capital projects it does not work in this area. He advised that decisions to engage legal advisors are taken on a case by case basis and this is being carefully monitored. While much of the cost is for transactional items, some is for historical legal challenges which the Council has to defend. The Council remains vigilant in its efforts to manage legal costs.

Item 30. Deputation from Clare Men’s Shed.

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

“That Clare County Council receive a deputation from the Clare Men’s Shed in relation to what logistical supports the Council might be able to give to the Sheds.”

While it was agreed that the deputation would be received, the Cathaoirleach advised that it could be April/May meeting before this could be facilitated.

Item 31. Cohesion Regional EU Funding.

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

“With regard to the distribution of Cohesion Regional EU funding to County Clare, that Clare County Council request the Executive of the Southern Regional Assembly to carry out an assessment, in the interest of balanced regional development, of the proportion of the circa €2.25 Billion EU funding streams (2007-2020) in the following way

- (a) the proportion of the €1.1 Billion EU Cohesion funding received by Ireland during 2007-2013 that was a) allocated to the former Mid West Regional assembly and b) subsequently to County Clare, and
- (b) What proportion of the €1.2 Billion EU Cohesion funding allocated for 2014-2020 has and is expected to be allocated to the Southern Region Assembly (SRA) and what funding controls or processes the SRA has in place to ensure balanced distribution of the appropriate proportion the regional figure then to County Clare”.

Cllr. J. Flynn wished to support Cllrs. P. McMahon and B. Slattery with their work on the Southern Regional Assembly. Cllr. P. McMahon acknowledged that it can be difficult to compete for funding against the cities and larger areas of population. Cllr. G. Flynn also supported the notice of motion and felt that the demise of the Mid-west Regional Authority was a serious draw-back. It was agreed to write to the Southern Regional Assembly with the Council's concerns. The submission made by Mr. B. McCarthy, A/Director of Services on the Regional Economic & Spatial Strategy was acknowledged by all.

Item 32. Provision of professional counselors to secondary schools.

“That Clare County Council write to the Minister for Education and Skills Richard Burton and the Minister for Health, Simon Harris, requesting that they provide all secondary schools with full time professional counsellors to help and support our young students with the assistance they need.”

Cllr. A. Norton requested that this item be deferred to the March meeting.

Item 33. First aid training.

Ar moladh Cllr. M. Howard
Cuidithe ag Cllrs. G. Keating agus A. O’Callaghan agus glacadh leis

“That this Council requests the National Council for Curriculum and Assessment (NCAA) along with Minister Richard Bruton, Minister for Education and Skills to provide the resources and back up to second level schools to introduce First Aid training as part of the New Junior Cert short course curriculum.”

It was agreed to refer this Notice of Motion to the Department for Education and Skills and the NCAA.

Item 34. Jury duty.

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

“That this Council calls on the Minister for Justice to ensure that people called for jury duty are properly remunerated.”

It was agreed to forward this Notice of Motion to the Minister for Justice and Oireachtas Members.

Item 35. Coastal protection maintenance fund.

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

“That Clare County Council call on Minister for Marine to provide an annual coastal protection maintenance fund to local authorities.”

Tom Tiernan, Senior Engineer, Roads and Transportation Department replied as follows:

“The Department of the Marine only has responsibility for certain defined infrastructural components around the coastline such as piers and harbours, leisure facilities, fisheries, etc. The coastline in general is the responsibility of the Office of Public Works insofar as there is a requirement to defend against coastal erosion etc. and where such risk and responsibility doesn't sit with other stakeholders such as coastal landowners of various guises. Just as it does in relation to inland flooding, the OPW runs a Minor Works Scheme to facilitate defence/strengthening of vulnerable sections of the coastline – as with Inland Flood Schemes one of the primary criteria to be satisfied must be that the proposal would have a positive benefit cost ratio. Apart from Minor Works Schemes, I agree that it would be useful to have a fund available to deal with coastal protection maintenance issues.”

Cllr. G. Keating thanked Mr. T. Tiernan, Senior Engineer for his reply. He stated that joined up thinking was needed, County Clare has 180km of coastline and 55km is in need of maintenance.

It was agreed to forward this notice of motion to both the O.P.W. and Minister of the Marine.

Any other business.

Cllr. C. Curtin raised the issue of meetings being cancelled at short notice and sought that meetings be co-ordinated so that they do not clash.

Ms. C. Greene, Senior Executive Officer advised that an I.T. system would be worked on to provide a solution to the clashing of meetings.

Item 36: Comhfhreagras. Correspondence.

The following correspondence was circulated at the meeting:

- Correspondence dated 16th February, 2018 from the Department of Rural and Community Development in relation to rural and community development programmes in 2018.
- Details of Cross Border Tourism Conference 2018 entitled “Growing your visitors – Learning from the best” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 11th April, 2017.

The following correspondence was circulated with the agenda:

1. Correspondence dated 2nd January, 2018 from Aer Lingus regarding the issue of scheduling new long haul services to and from Shannon Airport.

2. Report dated 22nd January, 2018 from Carmel Greene, Senior Executive Officer, Corporate Services Department in relation to Local Electoral Area Boundary Committee.
3. Correspondence dated 15th January, 2018 from Irish Water in relation to fit for purpose capacity of the waste water facilities in County Clare.
4. Correspondence dated 4th January, 2018 from I.F.A. in relation to imminent fodder crisis.
5. Correspondence dated 18th January, 2018 from the Department of Transport, Tourism and Sport in relation to 2018 grant allocations.
6. Correspondence from Senator Martin Conway in relation to community CCTV systems.
7. Resolution circulated by Wexford County Council in relation to Data Protection.
8. Report from Senator Martin Conway in relation to coastal protection works.
9. Resolution circulated by Dublin City Council in relation to fodder crisis.
10. Resolution circulated by Tipperary County Council in relation to collection of waste.
11. Resolution circulated by Galway County Council in relation to illegal parking of caravans and camper vans on public and private roads.
12. AILG Training dates for elected members 2018.
13. Third annual public lecture series of UCC's Centre for Local and Regional Governance entitled "Making Local Government Better" taking place in Boole 1, UCC on 15th February, 2018.
14. Conference entitled "Nursing Homes Support Scheme" taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 16th – 18th February, 2018.
15. 29th Colmcille Winter School entitled "Housing Provision in Ireland" taking place in Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny, Co. Donegal on 23rd and 24th February, 2018.
16. Conference entitled "New Affordable Houses Schemes" taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 2nd – 4th March, 2018.
17. Conference entitled "The Eight Amendment – A Constitutional Minefield" taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 23rd – 25th March, 2018.
18. European Energy Poverty Conference 2018 – A United Approach taking place in Croke Park, Dublin on 29th March, 2018.
19. LAMA 2018 Spring Training Seminar taking place in the Central Hotel, Donegal Town, Co. Donegal on 6th & 7th April, 2018.

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.

Conference entitled “The Finance Act 2017” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 5th – 7th January, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €782.78 including conference fee of €200.

It was agreed that Cllrs. P.J. Ryan, P. McMahon, P. Daly and J. Crowe attend this Conference.

Conference entitled “Cohesion Policy 2014-2020” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 2nd – 4th February, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €315.32.

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

Third annual public lecture series of UCC’s Centre for Local and Regional Governance entitled “Making Local Government Better” taking place in Boole 1, UCC on 15th February, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €259.14.

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

AILG training taking place in the Seven Oaks Hotel, Carlow on 17th February, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €341.71 including conference fee of €50.

It was agreed that Cllrs. M. Hillery, C. Curtin, T. O’Brien, C. Colleran Molloy, A. O’Callaghan, J. Breen, J. Crowe, A. Norton, P. McMahon, J. Cooney, P.J. Ryan and P.J. Kelly attend this Conference.

AILG training taking place in Dungarvan, Co. Waterford on 12th – 13th April, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €404.52.

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

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____