

Minutes of the October Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 8th October, 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, 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. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O'Rourke, Assistant Staff Officer.
- Ms. Anne Haugh, Director of Service.
- Mr. Leonard Cleary, Director of Service.
- Ms. Noeleen Fitzgerald, A/Head of Finance.
- Ms. Carmel Greene, Senior Executive Officer, Economic Development.
- Mr. Sean Lenihan, Senior Engineer, Capital Projects.
- Mr. Adrian Kelly, Chief Fire Officer.
- Mr. John Leahy, Senior Engineer, Physical Development.
- Mr. John Corry, Administrative Officer, Physical Development.
- Ms. Siobhan McNulty, Senior Executive Officer, Social Development.
- Mr. Barry McGroary, Executive Technician, Design Office.
- Mr. Cyril Feeney, Senior Engineer, Water Services.
- Mr. Padraic McElwee, Head of Enterprise.
- Mr. John Moylan, Chief Technician.

Apologies: Cllr. C. Crowe

The Cathaoirleach, Cllr. Michael Begley presided.

Vote of Sympathy.

At the outset a vote of sympathy was expressed to the following:

- Gleeson family, Mullagh on the death of James Gleeson.
- Reddan family, Miltown Malbay on the death of Christy Reddan.
- Murphy family, Mullagh on the death of Bridget.
- Lynch family, Kilfenora on the death of Michael Lynch.
- Culligan family, Kilmaley on the death of Colm Culligan.
- The family of Emma Mhic Mhathúna, Kerry.

Congratulations.

Congratulations were extended to Cllr. Cathal Crowe and his wife Maeve on the birth of their daughter Eve.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. T. O'Brien agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 7th September, 2018 be adopted and signed.”

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

“That the Minutes of the September Meeting of Clare County Council held on 10th September, 2018 be adopted and signed.”

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

“That the Minutes of the adjourned September Meeting of Clare County Council held on 17th September, 2018 be adopted and signed.”

Item 2: Matters Arising.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. C. Colleran Molloy agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 15th June, 2018 be noted.”

b. Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. C. Colleran Molloy agus glacadh leis

“That the Minutes of the Ennis Municipal District Annual General Meeting held on the 18th June, 2018 be noted.”

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

“That the Minutes of the Killaloe Municipal District Meeting held on the 4th July, 2018 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 17th July, 2018 be noted.”

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

“That the Minutes of the West Clare Municipal District Annual General Meeting held on the 21st June, 2018 be noted.”

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

“That the Minutes of the West Clare Municipal District Meeting held on the 3rd July, 2018 be noted.”

g. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. B. Slattery agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 27th August, 2018 be noted.”

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

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

“That the minutes of the Rural Development S.P.C. meeting held on 24th April, 2018 be noted”.

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

“That the minutes of the Physical Development S.P.C. meeting held on 28th May, 2018 be noted”.

c. Ar moladh Cllr. P. Burke
Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“That the minutes of the Social Development S.P.C. meeting held on 6th June, 2018 be noted”.

d. Ar moladh Cllr. P.J. Ryan
Cuidithe ag Cllr. R. Nagle agus glacadh leis

“That the minutes of the Economic Development S.P.C. meeting held on 18th June, 2018 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 31st August, 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. P. Hayes and Cllr. J. Cooney referred to the signing of contract for the housing scheme in Feakle and stated that it will be a major boost to Feakle in providing construction jobs in the area.

Cllr. C. Curtin acknowledged the good work performed by the life guards during the summer and he also commended the fire services on all their calls to date this year.

Cllr. C. Curtin requested an explanation on WWTS works in Miltown Malbay and Inagh. C. Feeney, Senior Engineer stated that JB Barry Engineering Consultants are looking at these schemes on behalf of Irish Water and it will take a number of months before they have any explanation. These are being dealt with through Irish Water Capital Programme.

Item 7: Disposal of lands at Illaunmanagh, Shannon, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 18th September, 2018 from Carmel Greene, Senior Executive Officer, Economic Development was circulated with the agenda together with map. The report states that it is proposed to dispose of an area of lands measuring 0.22 hectares subject to the conditions as set out in the notice served on the members dated 18th September, 2018.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of lands at Illaunmanagh, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 18th September, 2018.”

Item 8: Disposal of property at Castlecrine, Sixmilebridge, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 21st September, 2018 from Mairead Corbett, Administrative Officer, Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Castlecrine, Sixmilebridge, Co. Clare subject to the conditions as set out in the notice served on the members dated 21st September, 2018.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of property at Castlecrine, Sixmilebridge, Co. Clare subject to the conditions as set out in the notice served on the members dated 21st September, 2018.”

Item 9: Disposal of property at Ballyalla, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 24th September, 2018 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Ballyalla, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. C. Colleran Molloy 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 Ballyalla, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.”

Item 10: Disposal of property at Elm Park, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 24th September, 2018 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Elm Park, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. C. Colleran Molloy 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 Elm Park, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.”

Item 11: Disposal of property at Raenagishagh, Kilmaley, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 24th September, 2018 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Raenagishagh, Kilmaley, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.

Ar moladh Cllr. C. Curtin
Cuidithe ag Cllr. T. McNamara agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of property at Raenagishagh, Kilmaley, Co. Clare subject to the conditions as set out in the notice served on the members dated 24th September, 2018.”

Item 12: 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 redevelopment of an existing building unit to provide a Business and Digital Hub with Hot Desk facilities at Unit 7 Trackland Business Park, Tobartescain, Clonroadmore, Ennis, Co. Clare.

Report dated September, 2018 from Urban McMahon, Head of Information Systems was circulated with the agenda together with report from Garreth Ruane, A/Senior Executive Planner. The report outlines details of proposed redevelopment of an existing building unit to provide a Business and Digital Hub with Hot Desk facilities at Unit 7 Trackland Business Park, Tobartescain, Clonroadmore, Ennis, Co. Clare.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. C. Colleran Molloy 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 redevelopment of an existing building unit to provide a Business and Digital Hub with Hot Desk facilities at Unit 7 Trackland Business Park, Tobartescain, Clonroadmore, Ennis, Co. Clare.”

Item 13: Overdraft facility for the twelve month period to 31st December, 2018.

Report dated 1st October, 2018 from Noeleen Fitzgerald, A/Head of Finance was circulated with the agenda. The report states that the Council requires a new facility

to be in place for the period of twelve months to 31st December, 2019. It is proposed to maintain the overdraft facility of €15 million.

Ar moladh Cllr. G. Keating
Cuidithe ag Cllr. T. McNamara agus glacadh leis

“That pursuant to the provisions of Section 106 of the Local Government Act, 2001 the Council hereby approves of borrowing up to a maximum of €15 million by way of overdraft facility from the Council’s Treasurer for the year ending 31st December, 2019.”

Item 14. The Regulation of Lobbying Act 2015 – Strategic Policy Committees.

Report dated 27th September, 2018 from Ann Reynolds, A/Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that the Regulation of Lobbying Act 2015 is designed to provide information to the public regarding who is lobbying whom about what. Anyone who meets each step of the Three-Step Test must register. Individuals and organisations who participate in Strategic Policy Committees (S.P.C.) or Advisory Groups established by a public body may have obligations under the Act. The Act provides for an exception from the requirement to register in such cases once specified transparency criteria have been put in place, under a Transparency Code.

Following consideration by each S.P.C. it is now proposed to publish the following information on Clare County Council website in order to meet the Transparency criteria:

- Name of Chairperson together with details of his or her employing organisation;
- Names of Members together with details of their employing organisation;
- Whether any non-public servant members were previously designated public officials;
- Terms of reference of the group;
- Agenda of each meeting;
- Minutes of each meeting;
- Expected timeframe for the group to conclude its work;
- Reporting arrangements.

The members noted the report as presented having been proposed by Cllr. P. Murphy and seconded by Cllr. C. Collieran Molloy.

Item 15. Nomination of two Councillors to the Board of the Cliffs of Moher Ltd.

Report dated 3rd September, 2018 from Leonard Cleary, Director of Rural Development was circulated with the agenda. The report states that as part of Clare County Council’s commitment to rural tourism, the Rural Development Directorate is currently exploring a new strategic direction for the Cliffs of Moher visitor

experience. This tourism product currently attracts 1.5m visitors. The Council is considering new approaches to developing a more sustainable visitor management strategy and commercial operation to benefit local rural communities in Clare. Clare County Council owns the Cliffs of Moher Visitor Centre and manages the operation through a special purpose vehicle company.

It is proposed to draw together a small group of persons to renew the Board of this company. These persons will have a diverse knowledge of the tourism industry/product development, marketing, commercial development, finance, local government, local community and governance. The Council needs to involve persons of senior leadership calibre to the board. Some discussions have commenced with persons in the following sectors:

- Tourism & commercial entrepreneur
- Public Service/Local Government
- Failte Ireland
- Financial Expertise

The report states that it is proposed that 2 Elected Members will sit on the board as directors of the Cliffs of Moher Centre Ltd to be appointed for the period from September 2018 to the end of the current Council term. The nominated directors will be reviewed and appointed by the incoming Council in June 2019 at the next A.G.M.

The Board will be chaired by an independent external nominee in line with best practice. The Rural Development Directorate will provide the executive management support to the Board and staff.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That Cllr. R. Nagle and Cllr. B. Slattery be approved to sit on the Board as Directors of the Cliffs of Moher Centre Ltd. from October 2018 to the end of the current Council term.”

Item 16. Draft Speed Limit Scheme.

Report dated 24th September, 2018 from John Leahy, Senior Engineer, Physical Development Directorate was circulated with the agenda. The report states that the Draft Speed Limit Scheme has emerged as a result of a process which has been ongoing for just over 2 years. The process commenced in October, 2015 when all elected members, all Area Engineers, the Councils Road Design Department, Transport Infrastructure Ireland, the Gardai, AA Ireland and all adjoining local authorities were notified of the Council’s intention to commence a review of Speed Limit Bye Laws within the county and invited submissions in relation to same.

A summary of the proposed changes was outlined in the report.

P. Dowling, Chief Executive outlined the process in compiling the Draft Speed Limit Scheme and stated that there has been extensive engagement on this issue during the summer months.

The elected members expressed concerns in relation to the proposed speed limit in Corkscrew Hill, Ballyvaughan and Quilty, and in relation to requests for briefings with Municipal Districts.

Clarity was sought in relation to the role of T.I.I. in determining speed limits and the process of reducing a speed limit by Managers Order.

John Leahy, Senior Engineer responded to the issues raised. He stated that meetings were held over the last few months and many discussions have taken place with elected members. He stated that T.I.I. have to give consent before making a change to speed limits and that it is a reserved function of the Council to bring it into law. He stated that T.I.I. are familiar with the roads in question and are aware of the issues being raised. He informed the meeting that the process of reducing a speed limit by Managers Order is a temporary measure for the duration of roadworks.

P. Dowling, Chief Executive stated that engagement is at the discretion of the members and that progress has been made in a number of areas. He stated that it is important that we as a local authority implement our powers and that the Council will continue to engage with T.I.I. in relation to Quilty and Corkscrew Hill in the future. He informed the members that consent is required to implement the scheme locally.

Cllr. P. Burke stated that he agreed with the speed limit review for the Killaloe Municipal District and he proposed that the Council adopt the Draft Speed Limit Scheme as presented. This was seconded by Cllr. T. McNamara.

Cllr. M. Begley, Cathaoirleach called for a vote on the adoption of the Draft Speed Limit Scheme as presented which resulted as follows:

For: Cllrs. T. McNamara, P. Murphy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, A. O'Callaghan, J. Crowe, P.J. Ryan, P. McMahan, B. Chambers. (12).

Against: Cllrs. G. Flynn, M. McKee, C. Curtin, I. Lynch, M. Hillery, P.J. Kelly. (6).

Abstain: Cllrs. J. Breen, P. Daly, M. Howard, C. Colleran Molloy, R. Nagle, B. Slattery, G. Keating. (7)

The Cathaoirleach declared the vote carried.

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

“Clare County Council in exercise of the powers conferred on it by Section 9 of the Road Traffic Act, 2004, and with the consent of the Transport Infrastructure Ireland (in the case of proposals relating to National Roads), recommend that the Draft Clare County Council Road Traffic (Special Speed Limit) Bye Laws 2017 be adopted.”

Item 17. Amendment to Resolution dated 12th September, 2016 approving the raising of a loan.

Report dated 2nd October, 2018 from Leonard Cleary, Director of Rural Development was circulated with the agenda. The report states that in September 2016 a resolution approving the raising of a loan was adopted by the Council. This resolution needs to be amended to reflect a change in the legislative provision for borrowing, to Section 106 of the Local Government Act, 2001.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. T. O'Brien agus glacadh leis

“That this Council hereby approves the raising of a loan of €8,000,000 (under Section 106 of the Local Government Act, 2001) from the Housing Finance Agency to facilitate the issuing of loans to borrowers to buy out the Council's equity under the Shared Ownership Scheme and also to facilitate the drawdown of funds for Annuity and Rebuilding Ireland Home Loans”

Item 18. Delegation from Eoin O'Hagan, Derg Boat Trips at 3:00 p.m.

Cllr. A. O'Callaghan, Leas Cathaoirleach introduced Eoin O'Hagan and his wife Ruth, Derg Boat Trips to the meeting. Mr. O'Hagan thanked Cllr. P. Burke for proposing that he attend the meeting to brief the elected members on plans for the Shannon Greenway. He outlined his proposal as follows:

- A Shannon Greenway to run the length of the river Shannon from the Pot in Cavan to the last light in Loop Head
- Every town, village and community along the river would benefit from the Greenway
- The Greenway will attract slower tourism and encourage people to cycle, walk and explore the Shannon
- Tourism infrastructure and attractions will grow to meet the demand for places to stay, eat, drink and visit.

Mr. O'Hagan outlined how the communities of East Clare are already developing tourist products to attract more visitors. He stated that Clare County Council's purchase of Inis Cealtra and the development of a visitor centre in Mountshannon will attract 40,000 visitors a year. The designation of Lough Derg as a Blueway and the commencement of Fáilte Ireland's new Hidden Heartlands Brand are both going to put the tourism eye on East Clare and the Shannon as a destination. The Lough Derg and East Clare Ways would also see an increase as visitors explore areas off the Shannon Greenway.

The elected members commended Mr. O'Hagan on his presentation and for the work done in promoting tourism in East Clare. They referred to the necessity to have people on the ground in promoting and nurturing tourism in East Clare.

Item 19. Funding for road repairs.

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

“That Clare County Council apply to the Department of Transport, Tourism and Sport for special funding to repair roads damaged during the extreme warm summer weather.”

It was agreed that the Physical Development directorate will develop a proposal for special funding for submission to the Department.

Item 20. Housing Report.

Due to the absence of Cllr. C. Crowe this item was not dealt with.

“That this Council's Housing Department provide elected members with a comprehensive report detailing the following:

- a) The number of people on the housing lists for each municipal area
- broken down by preference area and categorised as 'housing applicant' or 'transfer applicant' (so as to establish net figures).
- b) The number of people who are currently categorised as 'homeless'
- broken down by municipal area.
- c) Details of the number of houses that have been purchased so far this year or are in the process of being purchased.
- d) Details of the number of houses being built directly by Clare County Council and / or other housing bodies and their locations.
- e) A general commentary on what the typical delaying factors in providing new housing stock (either built or bought).”

It was agreed that Items No. 21 and 23 would be taken together.

Item 21. Housing Grants.

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

“That Clare County Council in view of the demand for Grant Aid under the 3 categories of HOP/ HAG & MAG, consider the suspension of these grants and that only emergency applications be dealt with until applications already lodged are dealt with. I am requesting this action in view of the quantity of applications and in view of the shortage of funding required to manage the public’s expectations. It would also be helpful if a complete list of applications dealt with and carried forward in 2017 and up to September of 2018.”

Item 23. 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, average waiting time for approval and the amount of government funding required to clear the backlog for the following schemes,

1. Housing Aid for Older People Schemes.
2. Housing Adaption Grant for People with a disability.
3. Mobility Aid Housing Grant.
4. Housing Adaption Grant for New Houses.”

Anne Haugh, Director of Social Development replied as follows:

“As the notice of motions submitted by Cllr. G. Flynn and Cllr. M. Hillery are similar the response to both is hereunder:

Estimated total applications to be received by 31/12/2018	741*
Less Application approved and paid	270
Less No. of applications approved pending completion of works	208
Estimated no. on waiting list at 31 December 2018	263

* As of the 31st January 2018 there were 270 grant applications on hand and it is estimated that an additional 471 applications will be received in the full year in 2018.

Applications are assessed and prioritised based on medical, compassionate and waiting time criteria. Letters of referral and support from H.S.E. medical professionals is required for applications to receive immediate funding under Priority 1 category. Clare County Council is constantly reviewing applications on the waiting list under the three grant schemes and prioritising them for approval.

It should be noted that there is an average waiting time of one year for all grant types except in Priority 1 cases.

Grant type	Housing Aid for Older People	Housing Adaptation Grant for People with a Disability	Mobility Aid Grant	Total
Number of applications received in 2018 (as of 18/9/2018)	159	75	120	354
Value of works relating to these applications.	€87,675	€1,057,725	€441,840	€2,187,240
Number of grants approved as of 18/9/18 and awaiting payment	52	90	66	208
Value of applications approved as of the 18/9/18 not yet paid.	€85,975	€1,269,270	€243,012	€1,698,257
Number of applications	130	55	85	270

approved and paid as of 18/9/18				
Value of works approved and paid as of 18/9/18	€62,275	€775,666	€12,975	€1,650,916

The budget allocation for grants for 2018 is €2.141m as per Department Circular dated the 14th May, 2018 the Council fund 20% of this allocation which equates to €428,200.

Based on the approvals issued and paid of ~€3.3m and taking into account the potential for non uptake on certain approved applications, it is estimated that the minimum outturn expenditure will be ~€2.6 million in 2018.

In order to meet this exposure the Council has recently applied for a supplementary allocation of €500,000 of which €100,000 is to come from Councils own resources.

With this additional allocation works in the region of €1.6 million still remain and this does not take in account the future priority one applications that will be received in the coming months which will have to be prioritised.

Based on the above the 12 month average waiting time for approval will likely increase with only priority 1 applications processed in a shorter period.”

Cllr. G. Flynn stated that he was grateful for the comprehensive response and requested that new applications be suspended. Cllr. M. Hillery acknowledged the work on processing the applications and referred to the backlog that has been building for a number of years. He stated that funding is needed from government to clear the backlog.

Cllr. G. Keating stated that the Council should implement a condition to housing grants and request a percentage of the grant be repaid if a house is subsequently sold. Cllr. G. Flynn stated that this was debated a few years ago and that this condition is in situ.

P. Dowling, Chief Executive stated that these schemes have been very successful and well received and that the scheme will be kept under review.

Item 22. Social housing development.

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

“We ask the Director of Housing to provide an update on the number of expressions of interest received from landowners, developers and other property owners for potential social housing development throughout Co. Clare. How much funding is available to Clare County Council over the next 2/3 years and if you could provide a breakdown of where these housing units will be allocated in each Municipal District.”

Anne Haugh, Director of Social Development replied as follows:

“Following the current ‘Expressions of Interest’ campaign the Council has to date received 10 expressions of interest submissions. The detail of the submissions are at

this stage commercially sensitive but suffice as to say we are assessing the applications to ascertain viability for the development of social houses.

Funding drawdown for capital schemes follows the stage approval process and is based on committed expenditure by the Council. As both the Feakle and Clonlara housing schemes are going to site in the coming month the Council's claims for funding under both schemes will significantly increase. As the funding is based on committed expenditure funding for future schemes will only be provided to meet costs expended in delivering the approved schemes."

P. Dowling, Chief Executive stated that Clare County Council is meeting its target as set by the Department on an annual basis and that the Council will proceed to acquire lands where it is considered suitable to meet housing needs.

Item 24. Development contributions.

Ar moladh Cllr. P.J. Kelly

"That the following information be provided:

- (a) Revenue amount from planning contributions in 2017
- (b) Location and amount of each item of expenditure."

Liam Conneally, Director of Economic Development replied as follows:

- (a) The sum of €1,820,138 was receipted in Development Contributions in the year 2017. When account is taken of refunds and the sums transferred to Irish Water, the net sum collected is €1,294,106.

Roads	€885,980
Car Parking	€29,526
Amenities	€24,405
Water and Waste Water	€11,858
Total	€1,551,769
Transferred to Irish Water	-€2,697
Refunds	-€64,966
Net sum collected	€1,294,106

It should be noted that €268,369 was collected in Special Development Contributions which will be applied to the specific projects for which they were levied, when those projects commence.

- (b) Development Contributions were allocated as follows in 2017

Oakleigh Wood Roundabout & Associated Work	€8,000
Friar's Walk Bus Park Upgrade	€31,000
Lahinch Promenade Project including public toilets	€52,000
Lees Road Astro Turf Facility	€300,000
Shannon Town Park	€50,000

Total	€631,000
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The balance of the contributions collected in 2017 has been retained in the capital account and will be applied to eligible projects as they come on stream.”

Cllr. P.J. Kelly noted the reply and stated that with such an emphasis on rural re-generation, there is no expenditure recorded for rural Clare.

Item 25. Appointment of Biodiversity Officer.

Ar moladh Cllr. C. Curtin

“That the Chief Executive update the Council on the appointment of a Biodiversity Officer to assist among other duties the Tidy Towns Committees and Environmental Groups in Clare.”

Liam Conneally, Director of Economic Development replied as follows:

“Our Biodiversity provides spaces for recreation and play, enhancing our homes, communities and work and adds character to our towns, villages and County. County Clare’s biodiversity is something to be proud of and worth conserving and communities throughout the County recognise the importance of biodiversity and positively engage with the Planning Department in important biodiversity initiatives in their areas. Indeed this week Ennis received a national pollinator award reflecting significant work by all the stakeholders involved.

The Clare County Biodiversity Action Plan 2017-2023 identifies and translates the action of the National Biodiversity Plan 2017-2021 and also runs in parallel with and is aligned to the objectives for biodiversity in the Clare County Development Plan. Raising awareness of biodiversity within our county is one of the main purposes of the Biodiversity Action Plan.

The Biodiversity Officer position in the Planning Department was in place between 2005 and 2014 and at that time following an analysis of business needs of the organisation it was decided to replace the vacant Biodiversity Officer position with an Environmental Assessment Officer. As such the Biodiversity Officer position would now be considered to be an additional post and would require the necessary departmental sanction and budget provision. No budgetary provision has been made for the post in the 2019 budget.”

Cllr. C. Curtin stated that this would be an important service in-house as it would assist in tackling the spread of invasive species and provide necessary guidelines to Tidy Towns groups.

Item 26. Traffic Management Plan for the Burren.

Ar moladh Cllr. M. Hillery

Cuidithe ag Cllrs. R. Nagle agus P. Hayes agus glacadh leis

“In view of the importance of tourist projects to Co. Clare we request an update from Clare County Council on the Traffic Management Plan for the Burren.”

Leonard Cleary, Director of Rural Development and John Leahy, Senior Engineer, Roads & Water Services replied as follows:

“Clare County Council has convened two meetings with N.P.W.S. (National Park & Wildlife Service) who deliver services in the Burren. This was with a view to developing a shared vision on which to begin a process to prepare a Visitor Management Plan for the Burren. This would enable the progression of specific proposals at acute congestion sites, such as the Burren National Park. The view is held that a broad vision is needed to precede such a specific proposal. A vision and pathway forward has now been agreed with both statutory partners. Consultation with the wider community and tourism stakeholders is now being considered.

It is important that such a Burren Visitor Management Plan process is in dialogue with the imminent preparation of the new Clare Tourism Strategy and the Cliffs of Moher Strategy. Both are now at tender stage. There is a very strong case for an approach that roots all three plans in a sustainable tourism model for the Burren. The broad framework for dialogue between the three strategies /plans is aligned to that envisaged by the Clare Rural Development Forum’s Strategy. This group are due to meet again in mid October 2018.

In addition, Fáilte Ireland has proposed the preparation of a traffic congestion relief plan along the Wild Atlantic Way route. This proposal is being considered by the Department under the R.R.D.F. (Rural Regeneration and Development Fund). R.P.S Consultants are currently scoping this project for Fáilte Ireland.

Thirdly, Fáilte Ireland is convening a meeting on 6th November 2018 with stakeholders to develop a Burren Drive designed to disperse traffic around the wider area and to share visitor numbers with lower visited tourism areas.

The immediate challenge is to integrate all of these dynamics and efforts in order to progress a plan.”

Item 27. Bring centre charges.

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

“In light of the continued problems associated with illegal dumping, fly-tipping and the costs associated with subsequent clean-ups, I am requesting that consideration be given to a review of the prices charged at all Clare County Council bring centres.”

Carmel Kirby, Director of Physical Development replied as follows:

“Clare County Council does not believe that there is a link between charges at our Civic Amenity Sites and illegal dumping/fly-tipping. Unfortunately, the actions of a small minority of the population undermines the great work done by the Council and our partners in Tidy Towns, local voluntary & community groups, Green Schools, residents associations and the general public in tackling this issue.

Recycling charges for households start at €5 per carload to recycle a variety of items. The following items can be accepted without charge, WEEE– Fridges, cookers, computers, Fluorescent tubes, Waste Batteries, and textiles. It is disappointing that these types of items are illegally dumped at times.

The issue of illegal dumping taking place in the county is addressed through the work of Clare County Council's dedicated Waste Enforcement Team. The Team responds and takes appropriate enforcement action in relation to waste and litter complaints. They take a proactive approach in dealing with illegal waste and litter activities including the targeting of illegal dumping at problem locations.

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. 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 continues to comply with existing legislation and policies, and implement the current charge regime, for all waste brought into the civic amenity sites in accordance with the polluter pays principle.

The charges at our civic amenity sites and Central Waste Management Facility have not been reviewed for a number of years. Clare County Council intends to assess the charges at all our Civic Amenity Sites as part of a general review in the coming months."

Item 28. Electric vehicles.

Ar moladh Cllr. G. Keating

"To ask the Chief Executive to outline what plans are in place to promote the use of electric vehicles and increase the number of public charging points in Clare given Ireland's target to reduce carbon emissions by 2020."

Carmel Kirby, Director of Physical Development replied as follows:

"Ireland has a legally binding agreement to contribute to the European Union 2020 targets on Energy Efficiency, Renewable energy and CO₂ emissions. Ireland's 2020 targets are:-

- 16% renewable energy contribution to total final energy
- 10% of transport energy must be from renewable energy
- 20% reduction in Green House Gas (CO₂e) emission off 2005 base.

As part of the 10% target on renewable energy in transport, Ireland has set a target of 10% electric vehicles of the private and light vehicle transport fleet by 2020. The 10% target would represent approximately 230,000 EV by 2020. The "Ireland 2040 National Development Plan 2018 – 2027" has an objective to have at least 500,000 EVs on Irish roads by 2030.

The Limerick–Clare Energy Agency and Clare County Council's Environmental Education Officer are hosting an energy and environmental awareness day on 17th October, in the foyer of Aras Contae an Chláir. The promotion of electric vehicles will be incorporated as part of that awareness programme.

The public electric vehicle charging network is the responsibility of ESB Networks and currently there are 18 ESB network points in Clare. Location information is available on the ESB E-Cars website <https://www.esb.ie/our-businesses/ecars/charge->

[point-map](#). The capital requirement to increase the electric vehicle charging stations around the county in general is a matter for ESB Networks. At present, ESB Networks has been directed by the Commission for Regulation of Utilities to continue to operate and maintain the existing EV network. Clare County Council has installed 5 EV charging stations that are available to the general public, under an energy upgrade and credit saving project with SSE Airtricity. These are located in Clare County Council HQ carpark, Lees Road, Smyth Park and Active Ennis Leisure Centre.”

Item 29. Community support during extreme weather events.

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

“That Clare County Council explore various means to support local communities, organisations and individuals, who come to the assistance of neighbours during extreme weather events to allay fears relating to personal, public liability, health and safety and other risks.”

Carmel Kirby, Director of Physical Development replied as follows:

“The Major Emergency Management Framework designates the local authority as the lead agency in the co-ordination of responses to severe weather events. While it is recognised that not all severe weather warnings/events will constitute major emergencies, the Framework encourages the activation of the formalised co-ordination procedures to manage the response although in most cases a major emergency will not require to be declared.

The activation of this co-ordinated response under the direction of Clare County Council as the lead agency has become a well rehearsed activity in recent years due to the frequency and regularity of severe weather events which have impacted the county. Recent events have also involved multi-agency engagement which has been initiated by the Council and this has resulted in the development of robust working relationships between senior decision makers in the principal response agencies of the HSE, An Garda Síochána and the local authority. Co-ordination between other service providers such as ESB, Coillte, Irish Water, T.I.I., etc. continue to be enhanced and formalised.

Much work has been done on a regional level by the Principal Response Agencies (P.R.A.s) to engage with the Voluntary Emergency Services (V.E.S.) whom are comprised of statutory organisations of volunteers, auxiliary State Emergency Services, and non-statutory organisations of volunteers. The V.E.S. organisations in Ireland have a track record in providing professional services to the public, which can be utilised to assist the P.R.A.s in responding to serious weather events. Civil Defence and the Irish Red Cross are statutory, and the non statutory include: Order of Malta Ambulance Corp, St. John Ambulance Brigade, Cave Rescue Teams, RNLI, Community Inshore Rescue Boat Units and Sub Aqua Units. A Resources and Capabilities exercise was carried out within the Mid West Region to provide details of contacts, activation procedures, database of resources & equipment, communications, etc. This detail has been captured for the Region and is available to the P.R.A.s to call on the assistance of the V.E.S. when required.

It is acknowledged by the local authority and the other principal response agencies that there is a very large resource available within local communities and individuals to providing assistance to their neighbours in their time of need. In the past, Clare County Council have engaged with organisations such as the GAA or IFA to co-ordinate volunteers for specific tasks such as sandbag filling/distribution. The matter of public liability, insurance, risk, etc. has been raised in the past and has been brought forward as a very real issue, however to date, there has been no comprehensive response. In the normal course of events, for example, if the local authority require a person or company to carry out works, a competency assessment is required to be carried out, to ensure that person(s) is capable of carrying out the task safely. In the event of an emergency, as such processes can take some time, the goodwill of the volunteers can be tested and in many instances, offers of assistance have to be turned down due to the above concerns.

There is currently a review taking place of the Framework for Major Emergency Management in Ireland, taking into account the experiences of the last 12 years (when the current Framework was introduced), and includes recommendations made following the various severe weather events of recent times. Clare County Council have included in their submission to the review group a reference to the integration of the “community volunteer” as an area that should be investigated further, even to the point of being included in legislation, to allow P.R.A.s to make decisions to enable the assistance of volunteers for a variety of tasks – it may be that the legislation should provide some form of immunity for persons in charge whereby appropriate decisions are made that involve the use of volunteers for predefined tasks. Advice is also required on what protection of personal liability, if any, is covered by the Civil Law (Miscellaneous Provisions) Act 2011 for volunteers providing assistance to their neighbours during severe weather events.

It is also noted that a working group from the Local Authority Safety Officers Group nationally is being set up to consider developing procedures in relation to severe adverse weather events to include a number of key requirements including the consideration of encouraging the public to assist in responding in areas such as clearing paths/roads, etc. in extreme weather events.

It is hoped that through the review of the Framework, appropriate advices can be provided to local authorities to incorporate and foster the meithéal of the community in the overall response to severe weather events.”

Item 30. Telesis Dot Peen Machine.

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

“That Clare County Council make available a property marking scheme - the Telesis Dot Peen Machine - in County Clare as a deterrent against burglars and thieves.”

Leonard Cleary, Director of Rural Development replied as follows:

“Following further research on the Telesis Dot Peen Machine, this item can be referred to the Joint Policing Committee for examination and recommendation.”

Cllr. C. Colleran Molloy stated that Monaghan J.P.C. initiated this venture by purchasing a Telesis Dot Peen Machine.

Item 31. Ennis Hospital Working Group.

Ar moladh Cllr. J. Crowe (in the absence of Cllr. J. Flynn at this time)
Cuidithe ag Cllrs. C. Curtin, G. Flynn, I. Lynch, P.J. Kelly agus J. Breen agus glacadh leis

“In light of the adopted notice of motion to set up an “Ennis Hospital Working Group” we ask that such be set up forthwith with two elected members from each Municipal District.”

It was agreed that an “Ennis Hospital Working Group” would be set up comprising two elected members from each Municipal District, who will bring forward any issues to the representatives on the HSE Forum.

Item 32. HPV vaccination programme.

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

“Clare County Council requests Minister for Health, Mr. Simon Harris to extend the HPV vaccination programme to boys as soon as possible.”

Item 33. Insurance premiums.

Due to the absence of Cllr. J. Flynn at this time, this item was not dealt with.

“Need to reduce insurance premiums for Irish Consumers.

In order to tackle the high insurance premiums, that Clare County Council call on the Government to implement the recommendations of the recently presented final report of the Personal Injuries Commission (P.I.C.) as soon as possible and in particular two recommendations;

- 1) to deal with excessive awards - that the upcoming Judicial Council (which is expected to be on statute basis by end this year) compile guidelines for use by judges of “appropriate general damages“ awards for various types of personal injury, and
- 2) to deal with fraudulent activities - need the establishment of an Irish Garda Fraud Investigation Bureau with similar powers that the Insurance Fraud Enforcement Department have in the UK.”

Item 34. Outdoor educational centres.

Ar moladh Cllr. T. O’Brien
Cuidithe ag Cllrs. G. Keating agus J. Crowe agus glacadh leis

“Clare County Council calls on the Minister for Education and Skills to recognise the important role that outdoor educational centres play in the education and development

of our youth by funding all staff salaries of outdoor educational centres directly from department funds.”

It was agreed that the terms of this notice of motion would be circulated to all local authorities.

Item 35. Billboard advertising for Shannon airport.

Ar moladh Cllr. P.J. Ryan

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

“That this Council would request the board of Shannon Airport to consider billboard advertising on the western route from Tuam to Shannon and also on the midlands route from Portlaoise to Shannon in an effort to increase passenger numbers in Shannon.”

Item 36. Shannon Airport.

Ar moladh Cllr. J. Crowe

Cuidithe ag Cllr. P. Daly agus glacadh leis

“That Clare County Council request the Minister for Transport, Tourism and Sport to explore all avenues to provide funding to support Shannon Airport.”

Councillors expressed the view that Shannon airport needs more destinations. The elected members also stated that Clare County Council should be represented on the Board of Shannon Group.

P. Dowling, Chief Executive assured the members that the Council is willing to take a place on the Board of Shannon Group when the opportunity arises. He stated that positions on the Board of Shannon Group are decided by the Minister for Transport, Tourism and Sport and the positions are then filled by the Public Appointments Service.

It was agreed that the CEO of Shannon Group would be invited to attend the December meeting of Clare County Council.

Item 37. Family Carers Ireland.

Ar moladh Cllr. A. Norton

Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That Clare County Council write to the Taoiseach and the Minister to express our support for Family Carers Ireland in supporting amending the wording of the Constitution to ensure the work of family carers (male and female) in the home is recognised and valued.”

Cllr. A. Norton stated that there are 5,492 carers in county Clare and that it is important that public representatives are aware of the work done by family carers. She also stated that it is important that all carers are recognised and supported. Cllrs.

P. Hayes, R. Nagle and M. McKee fully supported this motion and stated that family carers are saving this country hundreds of millions of euro every year.

Cllr. M. Begley, Cathaoirleach informed the meeting that “Family Carers Ireland” Awards Ceremony is taking place on Thursday next, 11th October at 2:00 p.m.

Item 38. Comhfhreagras. Correspondence.

Correspondence.

The following correspondence was circulated at the meeting:

- Notice from AILG outlining change of venue for southern area training on 18th October, 2018.

The following correspondence was circulated with the agenda:

1. Correspondence dated 28th September, 2018 from the Department of Foreign Affairs and Trade in relation to “Getting Ireland Brexit Ready” public information campaign.
2. Correspondence dated 20th September, 2018 from the Minister for Communications, Climate Action and Environment regarding An Post.
3. Correspondence dated 21st September, 2018 from An Post in relation to the consolidation of the Post Office network.
4. Correspondence dated 20th September, 2018 from the Department of Housing, Planning and Local Government in relation to building and fire regulations.
5. Correspondence dated 25th September, 2018 from the Department of Housing, Planning and Local Government in connection with the inspection of rented properties and HAP assistance.
6. Correspondence dated 25th September, 2018 from the Department of Housing, Planning and Local Government in connection with funding for maintenance on secondary and minor roads.
7. Correspondence dated 20th September, 2018 from the Office of the Taoiseach in relation to tribute to Jim Warny, Ennis resident and sole Irish member of the Thai rescue operation.
8. Correspondence dated 21st September, 2018 from the Department of Transport, Tourism and Sport regarding the 9% VAT rate and its impact on the tourism industry.
9. Correspondence dated 20th September, 2018 from the Office of the Minister for Employment Affairs and Social Protection regarding the removal of the means test for Carer’s Allowance.
10. Correspondence dated 24th September, 2018 from the Department of Transport, Tourism and Sport regarding Shannon Airport Authority.
11. Resolution circulated by Cork County Council in relation to funding for Local Improvement Schemes.
12. Resolution circulated by Sligo County Council in relation to An Post.

13. Resolution circulated by Wexford County Council in relation to the future of local government.
14. Resolution circulated by Wexford County Council in relation to the post office network.
15. National Conference entitled “Smart Towns and Villages – An Opportunity to Revitalise Rural Ireland” taking place in Lough Rynn Castle, Moyhill, Co. Leitrim on 22nd October, 2018.
16. AILG Autumn Training Seminar 2018 taking place in Hillgrove Hotel, Old Armagh Road, Monaghan on 25th and 26th October, 2018.
17. Conference entitled “Social Media & Effective Time Management” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 9th – 11th November, 2018.
18. Conference entitled “Entitlement to Health Services” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 23rd – 25th November, 2018.
19. Let’s Get Talking Conference entitled “Mental Health in the Workplace and Wider Community” taking place in the Connaught Hotel, Galway on 23rd and 24th November, 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.

AILG training entitled “on-line planning” taking place in Cork on 15th September, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €309.09 including conference fee of €55.

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

AILG training taking place in Birr, Co. Offaly on 21st September, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €267.93.

It was agreed that Cllrs. P. Murphy and C. Collieran Molloy attend this Conference.

LAMA 2018 Autumn Training Seminar taking place in the River Island Hotel, Castleisland, Co. Kerry on 28th & 29th September, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €110.92 including conference fee of €180.

It was agreed that Cllrs. M. Hillery, M. Howard, P. Murphy and B. Chambers attend this Conference.

Conference entitled “EU Cohesion Policy 2014 – 2020” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 5th – 7th October, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €407.62.

It was agreed that Cllr. M. Hillery attend this Conference.

AILG training taking place in Sligo on 13th October, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €358.19 including conference fee of €5.

It was agreed that Cllrs. C. Curtin, P. McMahon, A. Norton and P. Daly attend this Conference.

AILG Autumn Training Seminar 2018 taking place in Hillgrove Hotel, Old Armagh Road, Monaghan on 25th and 26th October, 2018.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €608.02 including conference fee of €35.

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

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____