

**Minutes of the Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 23<sup>rd</sup> September, 2019 at 3:45 p.m.**

**Present:**

Councillors M. Howard, M. Nestor, C. Colleran Molloy, P. Murphy, A. Norton, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O'Callaghan, T. O'Brien, C. Crowe, M. Begley, P.J. Ryan, G. Flynn, S. Talty, J. Killeen, J. Garrihy, R. Garvey, P.J. Kelly, B. Chambers, G. Keating, C. Murphy, I. Lynch.

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O'Rourke, Assistant Staff Officer.
- Ms. Anne Haugh, Director of Social Development.
- Mr. Liam Conneally, Director of Economic Development.
- Mr. Leonard Cleary, Director of Rural Development.
- Ms. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, A/Head of Finance.
- Ms. Trina Rynne, Financial Accountant.
- Ms. Caroline O'Connor, Management Accountant.

**Absent:** Cllr. J. Flynn, J. Crowe, P. McMahan, M. McKee,

The Leas Cathaoirleach, Cllr. Clare Colleran Molloy presided.

Local Property Tax (Local Adjustment Factor) Chief Executive's Report was circulated with the agenda. The report was prepared in accordance with Local Property Tax regulations, Section 20 of the Finance (Local Property Tax) Act 2012 as amended by Section 5 of the Finance (Local Property tax) Act 2013. The report states that under legislation a local authority may as a reserved function resolve to vary the basic rate of the Local Property Tax in respect of relevant residential properties within its functional area by a maximum +/-15%.

The report continues that elected members will, as a reserved function, be required to adopt the 2020 statutory budget in November 2019. In advance of preparing budget 2020, the members are required to make a decision in relation to Local Property Tax income by 30<sup>th</sup> September in order that it can have effect from 1<sup>st</sup> November, which is the liability date for Revenue. Therefore in this context the report gave a broad outline of the emerging demands on services and expenditure budgets for the year 2020 that are known at this point.

It was noted that the elected members must take account of the financial position and have regard to a number of factors:

- I. The Local Authorities estimation of the income it will receive and the expenditure it will incur in the year 2020.
- II. The financial position of the local authority.
- III. The financial effect of the varied rate and
- IV. Feedback from the public consultation.

The report provided this information as required by regulation to the council relevant to the decision making process.

At the outset, Cllr. P. Hayes requested that the meeting adjourn for 30 minutes to allow further party discussion. This was seconded by Cllr. T. O'Brien.

Cllr. G. Flynn stated that he did not agree to the adjournment as there had been ample time to discuss the document circulated.

The members agreed to adjourn for 30 minutes and the Leas Cathaoirleach announced that the meeting would resume at 4:30 p.m.

Cathaoirleach Cllr. C. Crowe presided when the meeting resumed.

P. Dowling, Chief Executive outlined that the elected members, as a reserved function, are required to adopt the 2020 statutory budget in November. In advance of preparing the budget, members are required to make a decision regarding the Local Property Tax before the 30<sup>th</sup> September. He stated that the report circulated gives a broad outline of the emerging demands on services and expenditure budgets for 2020 that are known at this point. Mr. Dowling stated that as Clare County Council is a local authority that strives to be ambitious and progressive, there is a need to find funding sources to facilitate initiatives. Mr. Dowling stated that this decision is at the discretion of the elected members and that a 15% increase in the Local Property Tax is being sought in order to maximise income for 2020 in order to maximise growth in the coming year. The Chief Executive outlined the impact for the various property bands in Clare.

Cathaoirleach, Cllr. C. Crowe then invited the members to discuss the issue to hand.

Some elected members expressed the view that a 15% increase in Local Property Tax would benefit the county and people of this county in the improved provision of services. They stated that they are aware of the challenges facing the local authority and that this increase in income will enable the Council to deal with these challenges.

A number of elected members stated that they were not in favour of a 15% increase in Local Property Tax and expressed the view that this is another tax that their constituents cannot afford. The members also expressed concern in relation to the potential economic difficulties posed by the current crisis in the agriculture industry and Brexit.

Cllr. G. Flynn stated that he would be proposing a 15% reduction in Local Property Tax as people are already struggling to pay mortgages.

The members expressed concern in relation to the amount of Local Property Tax paid by householders in Clare that is returned to central government equalisation fund for re-distribution.

P. Dowling, Chief Executive reminded the members that €2m was allocated to West Clare in 2019 through Rural and Urban Regeneration Funds. Mr. Dowling stated that it is intended that a further allocation will be made to increase the General Municipal District allowance by €500,000 in total across the four municipal districts bringing the total allocation to €1.273m pa. The Chief Executive also stated that hedge cutting will be looked at as a specific fund as part of the budget process.

The Cathaoirleach, Cllr. C. Crowe called for a vote on the proposal that the basic rate of local property tax should be increased by 15% for the period 1<sup>st</sup> November, 2019 to 31<sup>st</sup> October, 2020, which resulted as follows:

**In favour:** Cllrs. M. Howard, P. Murphy, J. Cooney, P. Hayes, P. Burke, A. O'Callaghan, T. O'Brien, M. Begley, P.J. Ryan, S. Talty, J. Killeen, J. Garrihy, R. Garvey, B. Chambers, G. Keating, C. Murphy. (16)

**Against:** Cllrs. M. Nestor, C. Colleran Molloy, A. Norton, P. Daly, C. Crowe, G. Flynn, P.J. Kelly, I. Lynch. **(8)**

**Abstentions:** Nil. **(0)**

**Absent:** Cllrs. J. Flynn, J. Crowe, P. McMahon, M. McKee **(4)**

The Cathaoirleach declared the vote carried.

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

“That in accordance with the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended), that the basic rate of local property tax should stand varied upwards by fifteen per cent (15%) for the period 1 November, 2019 to 31 October, 2020, in respect of relevant residential properties situated in the administrative area of Clare County Council.”

The meeting then concluded at 5:15 pm.

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

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

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