

**Minutes of the October Monthly Meeting of Clare County Council held in Glór,
Ennis, Co. Clare on Monday, 12th October, 2020 at 3:45 p.m.**

Present:

Councillors M. Howard, M. Nestor, J. Flynn, C. Colleran Molloy, P. Murphy, A. Norton, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O'Callaghan, T. O'Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, P. O'Gorman, S. Talty, J. Killeen, J. Garrihy, S. Crawford, 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, Director of Finance and Support Services.
- Mr. Seán Lenihan, Senior Engineer, Physical Development.
- Mr. Cyril Feeney, Senior Engineer, Physical Development.
- Mr. John Leahy, Senior Engineer, Physical Development.
- Ms. Siobhán McNulty, Senior Executive Officer, Social Development.
- Mr. Michael McCaughan, Irish Language Development Officer.

Cathaoirleach, Cllr. Mary Howard presided and informed the members that new operating guidelines had been received and circulated. In the interest of compliance with H.S.E. guidelines and protecting public health Cllr. M. Howard proposed that the meeting would last for no more than 1 hour 55 minutes. Cllr. M. Howard also outlined procedures to be adhered to during the meeting.

P. Dowling, Chief Executive addressed the meeting and referred to the provisions of the Standard Operating Guidance document which has been agreed with AILG, LAMA and LGMA in relation to attendance at Council Meetings by elected members, Council officials and media personnel. Mr. Dowling stated that Council meetings should be kept to a minimum and that meetings greater than two hours should not take place. Mr. Dowling informed the members that he has a duty of care to staff and as civic leaders it is imperative that Councils are exemplars in this regard. Mr. Dowling stated that work is ongoing in relation to the availability of alternative technology in the event that meetings will be held remotely.

Vote of Sympathy.

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

- The O’Leary family on the death of Marie O’Leary nee Cunningham.
- The Rutherford family Ennis on the death of John Rutherford.
- The McInerney family Ennistymon, on the death Christina McInerney.
- The Moloney family on the death of Tim Moloney.
- The Danagher family, Newmarket on Fergus on the death of Liam Danagher.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“That the Minutes of the September Meeting of Clare County Council held on 14th September, 2020 be adopted and signed.”

b. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. M. Nestor agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 21st September, 2020 be adopted and signed.”

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

“That the Minutes of the adjourned September Meeting of Clare County Council held on 21st September, 2020 be adopted and signed.”

Item 2: Matters Arising.

There were no matters arising.

Item 3: Minutes of Municipal District Meetings.

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

“That the Minutes of the Shannon Municipal District Annual General Meeting held on the 30th June, 2020 be noted.”

b. Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“That the Minutes of the Shannon Municipal District Meeting held on the 30th June, 2020 be noted.”

c. Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“That the Minutes of the Shannon Municipal District Meeting held on the 24th July, 2020 be noted.”

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

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

“That the minutes of the Economic Development S.P.C. meeting held on 15th June, 2020 be noted”.

b. Ar moladh Cllr. G. Keating
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That the minutes of the Rural Development S.P.C. meeting held on 25th February, 2020 be noted”.

c. Ar moladh Cllr. S. Talty
Cuidithe ag Cllr. G. Keating agus glacadh leis

“That the minutes of the Rural Development S.P.C. meeting held on 8th July, 2020 be noted”.

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

“That the minutes of the Social Development S.P.C. meeting held on 17th June, 2020 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 7th September, 2020 as presented.

Item 6: Report from Standing Orders Sub Committee.

Report dated 6th October, 2020 from Ann Reynolds, A/Senior Executive Officer, Corporate Services Department was circulated with the agenda together with Standard Operating Guidance document. The report states that the Standing Orders Sub-Committee met on Monday, 5th October 2020 and considered the following matters.

1. Notice of motion submitted for March 2020 Council Meeting by the following: Cllrs. P.J. Kelly, A. O’Callaghan, B. Chambers, M. Nestor, S. Talty, P. Daly, P. McMahan, J. Killeen, P.J. Ryan agus P. O’Gorman:-

“That Standing Orders be amended with an objective of allowing free questions and comments on all items of public interest on the monthly agenda.” (M)

The members discussed and considered the motion and recommend that Standing Orders would not be amended as such an amendment would result in meetings becoming unmanageable.

2. Clarification of Motions and Questions Items: 16, 20 and 10(g)

- **Item 16** Questions do not require to be seconded and shall be dealt with by written reply without discussion with the exception of the proposer of the question who may seek clarification arising from the response given.
- **Item 20** – It is necessary to confirm seconder prior to the proposer commencing speaking on the motion.
- **Item 10 (g)** Correspondence – is confined solely to queries or updates on items of correspondence

3. Proposed amendments to Item No. 21

Item 21 - No speech shall exceed **three** minutes. Within that general constraint a time limit of **three** minutes shall be allowed for the proposer of a Motion **two** minutes for summing up, two minutes for the seconder or subsequent speaker, **three** minutes for the proposer of an Amendment and two minutes for summing up. A member repeating what has already been said shall be ruled out of order. Once a vote has been called, the Cathaoirleach shall allow no further discussion.

4. Standard Operating Guidance – attendance at Council Meetings by elected members and council officials/ other (media and public) and attendance at other meetings or Council buildings.

The members discussed the provisions of the Standard Operating Guidance document and noted that it has been agreed with AILG, LAMA and LGMA and that many of the provisions are already in place. The main items that require action are as follows:

- Covid-19 Self Declaration
- Facilitating remote access on request to vulnerable persons
- Review of Microphones
- Limit the time of the meeting to 1hr 55 minutes
- Wearing of face coverings when attending Council buildings

The member’s recommended the adoption of the SOG as an addendum to Standing Orders for the duration of the COVID-19 pandemic.

The members also recommended that the location of the meeting would remain at Glór for the foreseeable future in order to comply with Public Health Guidelines.

The approval of Council was sought to the proposed amendments.

Cllr. G. Flynn, Chair of the Standing Orders Sub-Committee addressed the meeting and outlined the details of the report. Cllr. G. Flynn stated that the members of the

Standing Orders Committee recommend operating the Standard Operating Guidance as an addendum to the current Standing Orders. This was seconded by Cllr. T. O'Brien and agreed by the members present.

P. Dowling, Chief Executive acknowledged the work of the Standing Orders Subcommittee in the context of new realities and noted that there will be opportunity to revise the Standing Orders going forward. Mr. Dowling informed the meeting that the Council is awaiting final correspondence from the Department concerning a new definition of "place" of meetings in accordance with regulations whereby remote attendance and engagement at meetings will be legal. Councils will be requested to agree this proposal and it will then be inserted in Standing Orders.

Item 7: 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. Murphy referred to the development of a monitoring system for geosites around the Burren and welcomed the rollout of this system in other locations.

Cllr. T. O'Brien acknowledged the work in delivering funding for estates upgrade in the Killaloe Municipal District. Cllr. O'Brien also welcomed the update on Killaloe Bridge and By-Pass.

Cllr. J. Flynn requested an update on Westbrook House and stated that residents in the area are experiencing anti-social behaviour.

Cllr. J. Flynn welcomed the update on the low-cost link road at Corrovorrin and the resurfacing roads along the Wild Atlantic Way. Cllr. Flynn raised a query in relation to the upgrade of Cree bridge. Cllr. J. Flynn enquired if the Council are making a submission to the Limerick Clare Metropolitan Transport Plan.

Cllr. A. O'Callaghan acknowledged the contract signing for survey and design works for Inis Cealtra (Holy Island) Visitor Experience. This was also welcomed by Cllr. P. Burke.

Anne Haugh, Director of Social Development responded to queries raised by Cllr. J. Flynn in relation to Westbrook House. She advised that the Council is currently considering its options on foot of the very recent decision by an Bord Pleanála that the change of use from a commercial guesthouse to a homeless hostel was not exempted development under the planning acts. She also clarified that while the Council had taken over ownership of the facility in 2019 its current use as emergency accommodation for homeless services clients was a continuation of the use which had existed under the previous private ownership.

P. Dowling, Chief Executive undertook to revert to Cllr. J. Flynn in relation to Cree Bridge.

S. Lenihan, Senior Engineer informed the meeting that Clare County Council are fully engaged in the Limerick Clare Metropolitan Transport Plan process.

Item 8: Fix date for budget meeting.

It was agreed that the Budget meeting would take place on Friday, 27th November, 2020 at 3:30 p.m. having been proposed by Cllr. C. Murphy, seconded by Cllr. B. Chambers and agreed by the members present.

Item 9: Disposal of lands at Caher, 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, 2020 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 0.27 hectares at Knockbeha, Caher, Co. Clare, subject to the conditions as set out in the notice served on the members dated 18th September, 2020.

Ar moladh Cllr. P. Hayes

Cuidithe ag Cllr. J. Cooney 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 disposal of area of land measuring 0.27 hectares at Knockbeha, Caher, Co. Clare subject to the conditions as set out in the notice served on the members dated 18th September, 2020.”

Item 10: Disposal of lands at Victoria Park, Kilkee, 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, 2020 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 land measuring 0.0115 hectares at Victoria Park, Kilkee, Co. Clare subject to the conditions as set out in the notice served on the members dated 21st September, 2020.

Ar moladh Cllr. C. Murphy

Cuidithe ag Cllr. G. Keating agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of area of land measuring 0.0115 hectares at Victoria Park, Kilkee, Co. Clare subject to the conditions as set out in the notice served on the members dated 21st September, 2020.”

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

Report dated 28th September, 2020 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 Middleline South, Mountshannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 28th September, 2020.

Ar moladh Cllr. P. Burke
Cuidithe ag Cllr. A. O'Callaghan 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 disposal of property at Middleline South, Mountshannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 28th September, 2020.”

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 construction of 8 No. residential units at Tulla Road, Roslevan, Co. Clare.

Report dated 2nd September, 2020 from Siobhán McNulty, A/Director of Social Development was circulated with the agenda together with report from Gareth Ruane, A/Senior Executive Planner. The report outlines details of proposed construction of 8 No. residential units at Tulla Road, Roslevan, Co. Clare.

Cllr. P. Murphy addressed the meeting and stated that at the September meeting the seven Councillors in the Ennis Municipal District requested that this item be deferred for one month to allow time to address three issues of concern in relation to this development. Cllr. P. Murphy acknowledged the co-operation and support received from the Social Development Directorate in order to agree on solutions to the concerns raised.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. M. Nestor 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 8 no. residential units at Tulla Road, Roslevan, Ennis subject to the following variations:

1. The proposed western boundary wall to be increased in height to 2.0m from 1.8m over its length with a local increase from 2.0m to 3.0m, commencing 1.5m south of garden boundary between houses 5 & 6 and over a distance of 22.5m in a southern direction.

2. The proposed western boundary wall to be fully stone faced (i.e. stone faced on the western side only) instead of proposed stone piers and plastered walls.
3. The proposed north western boundary wall to be a stone faced wall (i.e. stone faced on the western side only), 2m in height instead of a wall with railing.
4. To address any potential overlooking the layout of house no. 8 is revised to omit the bedroom window to the rear elevation and replace with a bathroom window consisting of obscure glazing. The revised development shall provide the relocated first floor bedroom window on the northern elevation of the dwelling.
5. Condition 6 is to read as follows: *The finished floor level of the proposed dwelling houses shall be in accordance with those as indicated on the site layout plan received by the planning authority on the 09th July 2020.*

All amendments are agreed with the Planning department and are considered to be immaterial changes to the development for which Part VIII was applied.”

Item 13. Capital projects.

Cllr. P.J. Kelly requested that this item be deferred to the November Council meeting.

“That the following information be provided with regard to capital projects in each electoral area, in the four year period ending December 2020:

- (1) Location of project(s) in each electoral area
- (2) Cost of each project
- (3) Total investment in each electoral area
- (4) Process of selecting each project.”

Item 14. Vacant rates credit.

Ar moladh Cllr. C. Murphy

Cuidithe ag Cllr. B. Chambers agus glacadh leis

“In the interest of reducing the long term dereliction rate in our towns and villages, and to encourage the regeneration of same, that Clare County Council reduce the vacant rates credit from the current rate of 100% to 0% on a three year tiered basis”.

Noeleen Fitzgerald, Director of Finance and Support Services replied as follows:

“S.I. No. 226/2014 - Local Government (Financial and Audit Procedures) Regulations 2014 Part 5 set out the legislative basis for Rates on vacant premises. The legislation dates back to section 14 of the Local Government Act 1946 where an owner/ occupier of a vacant property could claim a refund of the commercial rates paid where the premises meets specific criteria. The level of refund varied in the cities of Dublin, Limerick, Cork and Galway at 50% and in all other local authority areas at 100%. The main purpose of the legislation was to prevent distortion of the rental market for commercial lettings.

This legislation was updated in 2014 to provide a reserved function to local authority members to make a decision at the statutory budget meeting to specify a local

electoral area or local electoral areas that the relief would apply for the whole of the financial year and to determine the proportion of the refund / relief that shall apply in each case. To date members of Clare County Council have adopted the rate of 100% at each budget meeting.

While the legislation is specific on the rates being refunded, Clare County Council applies a rates vacancy credit in line with this legislation as it is not practicable to demand payment and refund thereafter. To qualify for this credit, the premises must meet the following criteria:

- It must be vacant on the date the rates becomes payable,
- It must have been vacant for one of the following reasons:
 - Vacant for letting and or sale
 - Vacant for repairs or alterations
 - Vacant pending demolition, re-development- delisting as a commercial property.

Documentation in support of the reason for the vacancy must be submitted before any vacancy credit is applied on the customer account.

In the current year Clare County Council estimates over €4.6m in vacant properties across all electoral areas:

Of the 964 commercial properties deemed vacant in budget 2020, 621(64%) have a valuation of less than €2,500 with over half of these properties in areas where there is no significant commercial demand. Vacancy is not a choice by owners in these scenarios.

Implementing a rates charge on some electoral area vacant properties where there is no commercial demand will not provide an income stream to this council as there will be an a level of uncollectable debt. However it is proposed that for draft Budget 2021 that a scheme in relation to vacant properties will be brought before members, with members input from each municipal district. The scheme may look to incentivize the conversion of long term vacant commercial properties in some electoral areas to domestic residence in order to qualify for the relief.”

Cllr. C. Murphy expressed concern in relation to the level of dereliction in rural towns and villages and stated that the characteristics of buildings should be promoted.

Item 15. Impact of Covid 19 on the operations of Clare County Council.

Ar moladh Cllr. P. McMahon

“To ask the Chief Executive to outline the impact financial and other of Covid-19 on the operations of Clare County Council and the Councils interactions with other bodies and agencies.”

Liam Conneally, Director of Economic Development and Noeleen Fitzgerald, Director of Finance and Support Services replied as follows:

“This pandemic and the associated public health measures have presented immediate and severe financial challenges for the Council. The economic impact and restrictions on business activity in the County as a result of the Covid-19 virus could not have been foreseen or indeed planned for. Covid-19 has brought about extraordinary financial and cash flow impacts in the areas of commercial rates, income from Goods and Services and additional expenditure incurred in responding to the pandemic crisis. These financial impacts have been presented to Council at our June statutory meeting, the September statutory meeting and also presented to the Department of Housing, Local Government and Heritage as part of the Local Authority sectors response to the pandemic.

The financial shock to businesses in Clare and its impact on the ability to meet the Commercial Rates demand for 2020 has been calculated as €19.7m annualised income. This represents circa 15% of the annual revenue budget. This estimation was based on a thorough review of the commercial rates business profile, highlighting areas of Aviation, Hospitality and Retail accounting in excess of €10m. When the €19.7m is adjusted for the vacancy property credit and the July Stimulus six-month commercial rates waiver, the impact in 2020 is forecast at €5m.

In addition to the Commercial Rates Income deficit, other income generated by the Council and equally important to the funding of local services is likely to be lost and irrecoverable as a direct result of the pandemic public health measures. In the Budget 2020, there is €13.3m (10%) income budgeted under a range of headings - Parking Charges, Road Opening Licences, Planning Receipts, Civic Amenity Sites, Litter Fines, Fire Safety Control, Library Receipts, Leisure/Tourism Facilities and Casual Trading. When these income areas were reviewed in June 2020, an annualised impact of €5.6m was calculated. Due to the level and importance of the income involved it is also clear that as matters evolve and if it becomes necessary to impose further restrictions or where phases are extended there will be a need to revisit these calculations. At this time, no subvention from national government has been announced.

Other income sources will also experience an impact in a time delay in payment as we reopen businesses and society especially in the area of housing rents and loans. The ability to continue the match funding of capital projects remains under review with ongoing discussing with grant funding bodies.

In addition to the enormity of the impact of the Public Health emergency on income sources of local government there has been unplanned and significant expenditure incurred by the sector in dealing with the emergency and the efforts to keep essential services active during the national lockdown. These are costs that are essential but where no income source is available to local government to fund exceptional public health costs and unplanned costs. These costs are estimated at €2m at this time.

The Covid-19 crisis will affect our financial situation over a period of years rather than contained in 2020. The preparation of the Draft Budget 2021 will present additional challenges as we monitor the impact of this pandemic and the recovery of the economy locally.

In responding to the crisis, Clare County Council has adapted to the provision of services in different ways. Remote working is now the norm and interaction with the public and elected members in the first instance is by email or phone with follow up appointment times if necessary. Other service areas impacted include the work of our

Municipal District offices, our sports and recreation facilities, our housing delivery programme, our planning and economic development functions. All of the above is set out in the context of Covid-19 restrictions that now apply to all staff interfaces with our customers and this is likely to continue into the foreseeable future.

The Council's interaction with our Government Departments, other bodies and agencies is now confined to virtual meetings. To facilitate remote working the Council is investing significantly in our ICT technology and in the use of digital platforms and social media to interact with the public. Our Crisis Management Team continues to meet as does the Mid-West Covid co-ordination group where the Council partners with external agencies i.e. H.S.E., An Garda Síochána, the ambulance service, other local authorities and all emergency services.

The establishment by the Council of the Clare Economic Task Force is an effort to assemble private and public sector leaders in order to inform and guide economic measures that will stimulate future job creation in County Clare."

Cllr. P. McMahon stated that the Clare Oireachtas Members should be requested to engage with relevant Ministers to seek supplement shortfall from central government.

Item 16. Scéim Teanga na Comhairle.

Ar moladh Cllr. M. Nestor

Cuidithe ag Cllr. A. O'Callaghan agus glacadh leis

"Glaonn an rúin seo ar Chomhairle Contae an Chláir chun athbhreithniú agus uasdátú a dhéanamh ar Scéim Teanga na Comhairle."

D'fhreagair Noeleen Fitzgerald, Stiúrthóir Seirbhísí Tacaíochta agus Airgeadais mar seo a leanas:

"Cuireadh Scéim Teanga Comhairle Co an Chláir le chéile I 2007, rinneadh athbhreithniú air I 2010. Ceapadh Oifigeach Forbartha Gaeilge I 2019 agus tá tús curtha aige le hathbhreithniú ar an Scéim.

Tar éis an cás a chíoradh go mion I 2019, le comhairle ón Roinn Cultúir, Oidhreachta agus na Gaeltachta, d'aontaíodh síneadh a chur leis an Scéim atá I bhfeidhm faoi láthair.

Tá an cuspóir seo a leanas faoin Scéim, ná 'úsáid na Gaeilge san Údaras Áitiúil a mhéadú agus a spreagadh'.

Seo a leanas na haidhmeanna atá leagtha síos sa Scéim agus an obair fós ag dul ar aghaidh chun na spriocanna a chur I bhfeidhm:

- Tógáil ar thiomántais an Údaráis Áitiúil an Ghaeilge a chur chun cinn agus ar na prionsabail go ndéanfaí caighdeán a chuid seirbhísí uile a dhearbhu agus a fheabhsú.
- Líon na seirbhísí a chuirtear ar fáil go dátheangach do chustaiméirí agus do chliant a mhéadú agus a fheabhsú, agus
- Inniúlacht na foirne sa Ghaeilge a fheabhsú trí oiliúint agus tacaíocht a chur ar fáil.

- Is ar bhainistíocht shinsearach an Údaráis Áitiúil go príomhá a thitfidh an fhreagracht maidir le monatóireacht agus athbhreithniú a dhéanamh ar fhorálacha na Scéime.

Tá dul chun cinn suntasach déanta again maidir le comtharthaíocht ar fud an chontae le comhoibriú ó chuile rannóg den Comhairle. Thosaigh seisiún Gaeilge arís don fhoireann oibre I 2019 agus tá dea-thionchar le feiceáil ann. Cuireann an Chomhairle leaganacha dátheangach ar fáil de cháipéisí oifigiúla faoi Alt 10 den Acht na dTeangacha. Tugann an Scéim Deontais deiseanna le himeachtaí trí mheán na Gaeilge a chur chun cinn.

Leanfaidh an Chomhairle ar aghaidh leis an athbhreithniú den Scéim Teanga, beimid ag dul I dteagmháil le baill, le heagraíochtaí cuí agus le lucht an phobail I 2021.”

Noleen Fitzgerald, Director of Finance and Support Services replied as follows:

“The Scéim Teanga currently in place for Clare County Council was drawn up in 2007 and revised in 2010. An Irish Officer was appointed in 2019 and has commenced a review of the Scéim. Following consideration and consultation in 2019 with the office of the Minister for Community, Equality and Gaeltacht Affairs it was agreed to extend the existing Scéim.

Under the existing scheme, the goal has been **‘to increase and encourage the use of Irish in the local authority.’**

Four key aims are outlined within the scheme and work is ongoing in progressing those aims.

- Build on the commitments of the local authority to promote the Irish language as well as the principles of quality assurance and improvement in all its services.
- Increase and improve the number of services to customers and clients provided bilingually, and
- Enhance staff competency in Irish through the provisions of training and support
- Responsibility for monitoring and reviewing provisions of the Scéim will rest primarily with the senior management of the Local Authority.

Significant progress has been made on signage across the county with the co-operation of all departments. Staff Irish Language sessions recommenced also in 2019 and are proving beneficial. The Council prepares bilingual versions of official documents as prescribed by section 10 of the Official Languages Act. The Scéim Deontais continues to offer opportunities to promote Irish Language events.

The Council will continue the review of the Scéim Teanga which will involve consultation with members, relevant organisations and the general public in 2021.”

Chuir an Comhairleoir M. Nestor a rún in iúl arís maidir leis an géarghá go ndéanfar nuashonrú ar Scéim Teanga Comhairle Co an Chláir, scéim a bhí curtha le chéile in 2007. Dúirt an comhairleoir Nestor go raibh sé as dáta anois agus go raibh Scéim Teanga nua ag formhór na heagraíochtaí eile atá ag feidhmiú faoi rialacha Acht na dTeangacha.

Chuir M Nestor béim ar an tábhachtacht a bhaineann le Scéim Teanga láidir agus conas a chabraíonn sé sin leis an obair atá ar siúl ar fud an chontae chun an teanga a chur chun cinn, taobh leis na hiarrachtaí le hathoscailt a dhéanamh ar Choláiste Carraig a Chabhaltaigh.

Luaigh M Nestor stádas Baile Líonra bainte amach ag Baile na hInse de bharr aitheantais ar an dul chun cinn déanta agus cheap M Nestor go raibh sé fíor-thábhachtach go mbeadh Comhairle Co an Chláir gníomhach leis an teanga a chur chun tosaigh agus tacaíocht á thabhairt di freisin.

Dúirt M Nestor go raibh an méid sin atá thuasluaite mar chéimeanna tábhachtacha le haghaidh dul chun cinn na teanga I gContae an Chláir agus d'iarr sé go sonrathach go ndéanfar athbhunú ar Choiste Logainmneacha an chontae, coiste a bhí díscailte le blianta anuas. Ba é ceann de na seirbhísí trí mheán na Gaeilge a bhí ar fáil do lucht an phobail faoin Scéim Teanga reatha.

Cllr. M. Nestor restated his motion regarding the urgent need to update Clare County Council's Scéim Teanga, which dates back to 2007. Cllr. Nestor stated that it was out of date and most other organisations had a Scéim Teanga which was recently initiated.

Cllr. Nestor emphasised the significance of a robust Scéim Teanga to complement the work underway across the county in promoting the language, notably the Baile líonra status awarded to Ennis in recognition of progress in promoting the language, alongside the drive to reopen Carrigaholt Irish college. Cllr. M. Nestor felt that it was vital that Clare County Council be seen to actively support and promote the Irish language.

Cllr. M. Nestor stated that all the above are important steps toward developing the language in Clare and specifically called for the reconstitution of the placenames committee, which disbanded some years ago as it is one of the services identified by the Council's Scéim Teanga as being available through Irish.

Item 17. CCTV.

Ar moladh Cllr. P. Murphy

"In relation to the use of CCTV by Clare County Council in investigating illegal dumping and the desecration of public areas and spaces (i.e. graveyards, rivers, lakeshores, roadsides), I am requesting the following information,

- i) Has the Data Protection Impact Assessment being developed by Clare County Council been completed at this point?
- ii) If not completed yet, is there an anticipated completion date?
- iii) Does the aforementioned assessment require legislative approval or clearance by the GDPR commissioner before being suitable for enforcement?"

Cyril Feeney, Senior Engineer, Physical Development replied as follows:

“i) Yes, we have completed the Data Protection Impact Assessment (DPIA).

ii) The DPIA is complete.

iii) The DPIA has identified the requirements outlined under Part 5 of the Data Protection Act 2018, which deals with the processing of personal data for law enforcement purposes, as being the appropriate legal basis for the installation of CCTV.

This will require Clare County Council to now liaise with An Garda Síochána. Under Section 38 of the Garda Síochána Act 2005 it is the Garda Commissioner who may authorise the installation and operation of CCTV in public places to facilitate the deterrence, prevention, detection and prosecution of offences such as illegal dumping. We will take this matter up with the Joint Policing Committee to establish the most appropriate way forward.”

Cllr. P. Murphy sought clarity in relation to the use of CCTV in other locations such as graveyards, etc.

Cyril Feeney, Senior Engineer stated that this issue had been raised at the JPC meeting earlier that day and it was noted that the use of CCTV from a local authority point of view must comply with GDPR. The installation and operation of CCTV in public places to facilitate the deterrence, prevention, detection and prosecution of offences such as illegal dumping must comply with An Garda Síochána legislation.

Item 18. Warning flashing orange lights.

Ar moladh Cllr. A. O’Callaghan

Cuidithe ag Cllr. C. Murphy agus glacadh leis

“Request this Council to review the warning flashing orange lights on approach roads around schools across the county, some are faulty and not working and are troublesome in the interest of safety for our kids.”

John Leahy, Senior Engineer, Physical Development replied as follows:

“The Roads & Transportation Section have procured the services of a contractor whose contract includes the maintenance of school flashing lights throughout the county. As part of their contract this contractor is responsible for:

- Checking timings with each school and re-programming the lights if required
- Replacing damaged bulbs with new LED’s, fuses, flashing units & batteries
- Cleaning and aligning signs and solar panels
- Repairing power outages

Any issues reported by the schools or the public are in turn reported to this contractor who carries out the necessary repairs. A number of such reported matters have been repaired in recent days. Should the Members have concerns regarding any particular location that needs to be inspected if they pass on such details to the Roads & Transportation Section and same will be reported.”

Cllr. A. O’Callaghan stated that warning flashing lights near some schools are out of order and raised concern from a safety aspect.

The meeting was informed that some flashing speed limit signs are now incorrect and need to be updated. Disappointment was expressed that Clare County Council are no longer appointing School Patrols.

Item 19. Hedge cutting.

Ar moladh Cllr. P. Burke

Cuidithe ag Cllr. J. Cooney agus glacadh leis

“In the interest of road safety, I am requesting Clare County Council to increase hedge cutting works on regional roads by extending the height of the actual works being carried out. Truck, bus and tractor drivers in particular are experiencing difficulties while travelling sections of our regional roads.”

John Leahy, Senior Engineer, Physical Development replied as follows:

“The Roads and Transportation Section have been liaising with the Municipal Districts in relation to hedge cutting. We will further request that the areas address the particular issues raised in this motion and ensure a consistency of approach to hedge cutting within the Municipal Districts across the county.”

Cllr. P. Burke acknowledged the work carried out by Clare County Council in relation to hedgecutting and stated that farmers and landowners should be responsible for maintaining their hedges. Cllr. P. Burke requested that extra hedgecutting works be carried out on regional roads as trucks, tractors and bus drivers are experiencing difficulties due to overhanging hedges.

In seconding this notice of motion, Cllr. J. Cooney stated that every regional road should be brought up to proper standard and that landowners should be informed of their obligations in relation to hedgecutting.

This was supported by the members present who noted the expense incurred by drivers when repairing damage caused to vehicles by overgrown hedges. The elected members requested that the hedgecutting programme be included in the annual Roadworks Programme for each Municipal District.

Item 20. Flooding patterns on the River Fergus.

Ar moladh Cllr. J. Killeen

Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“We call on Clare County Council, in conjunction with relevant parties, to carry out an audit which would identify the flooding patterns and pinch points on the Corofin Ruan Ennis stretch of the River Fergus.

Thereafter to undertake remediation measures, including controlled dredging of the congested silt - filled blockages to release the water and reduce the flooding of farmlands and roadways in that Upper Fergus area.”

John Leahy, Senior Engineer, Physical Development replied as follows:

“This location is part of the Fergus Drainage District. The Fergus catchment is mainly in the West Clare Municipal District (Ennistymon Electoral Area) with a section in the Ennis Municipal District-Ballyallia Lake & Fergus River through to Ennis town. The Fergus drainage district extends from Boston/Tubber and Kilfenora through Corofin to Ennis.

We need to be mindful that any works being considered as a benefit in one location could potentially have negative impacts at downstream locations and could affect flow patterns in Ennis town. Standard maintenance work such as clearance of vegetation adjacent to culverts can be carried out following strict assessments and discussion with Fisheries and the NPWS as the river is on an SAC.

This year following the Department of Transport grant allocations the Clare Drainage grant was doubled from last year to almost €900K for the county. This funding has enabled drainage maintenance work to be completed across the county and has been very beneficial to the Municipal Districts in 2020.

Further funding has been allocated in the July Stimulus package for Clare and a fund of almost €2m has been received for Climate Action and Active Travel work. A large portion of the additional funding has been distributed to the Municipal Districts to carry out further drainage work in the Areas. This is a very positive development and will enable Municipal Districts to resolve many of the longstanding drainage problems in their areas.

At a meeting with the Department of Transport last week the indications are that this funding will be forthcoming in 2021 and 2022 also.”

Cllr. J. Killeen outlined difficulties being experienced due to flooding on the Corofin Ruan Ennis stretch of the River Fergus. Cllr. J. Killeen welcomed the allocation of funding for drainage maintenance work and requested that the Council apply to the Department for a specific allocation of funding for this project.

The elected members requested that the Fergus Drainage District Committee be re-established.

Item 21. Planning contributions.

Ar moladh Cllr. P.J. Kelly
Cuidithe ag Cllrs. J. Killeen, S. Talty, G. Keating, J. Garrihy, C. Murphy agus B. Chambers agus glacadh leis

“That a discount of 50% be applied to planning contributions to future planning permissions in areas of population decline.”

Liam Conneally, Director of Economic Development replied as follows:

“Following significant consultation, in accordance with Section 48 of the Planning & Development Act, 2000, as amended, Clare County Council adopted the Development Contributions Scheme 2017-2023 on 24th April 2017. The scheme gives effect to, and is aligned with, the provisions and timescale of the Clare County Development Plan 2017-2023. This scheme also sets out the basis for the determination of contributions and sets out the charges that would apply for the duration of the Scheme.

In order to address rural decline and maintain vibrant rural communities, a separate category of contributions was introduced as part of the Scheme for residential developments located within the settlement boundaries in the county's rural villages. The development contributions applicable to these developments are almost 40% lower than those that apply to other areas. In addition, a 25% reduction in contributions is applicable to single rural houses (located outside settlement areas) subject to payment in one lump sum and prior to commencement of development.

There is no provision in the Planning Acts for the amending of a Development Contribution Scheme - any changes to the terms or charges would require the preparation and the making of an entirely new Development Contribution Scheme, with consequent requirements for public and statutory consultation and timelines. Any such new scheme prepared to include the discounts as proposed in this Notice of Motion would require a review and possibly a reduction in the number of projects across the county that could benefit from the scheme.

The development contributions received by Clare County Council fund a variety of public infrastructure projects each year and are a critical source of finance to the Council. Projects that received funding in 2019 include Lahinch Public Realm, Shannon Town Park, Ennis Library, Terret Lodge Kilrush, Scariff Town and Village Renewal and Shannon Allotments. It is anticipated that income from development contributions will be less in 2020 and 2021 than previous years due to the impact of Covid-19. Any further reductions will impact on the Council's ability to apply for funding under various national initiatives, on projects where the Council is required to provide co-finance.

Following the adoption of the new County Development Plan 2022 - 2028 a new Development Contribution Scheme will be required and this will allow for a full review of all development contributions payable.

At the November 2019 meeting of Clare County Council, the development contribution review was referred to the S.P.C. for examination. This work is ongoing.”

In supporting this notice of motion the elected members stated that steps need to be taken to revive rural Clare and encourage a greater influx of people to set up home in rural areas as this would support the social fabric in rural communities.

Cllr. T. O'Brien expressed concern at the prospect of having a two tier system within the county and requested an equal distribution of funding across the county.

L. Conneally, Director of Economic Development addressed the meeting and outlined the process involved in preparing a Development Contribution Scheme. Mr. Conneally informed the members that the Economic Development S.P.C. is currently reviewing the development contribution scheme as requested in November 2019.

Cllr. P.J. Kelly referred to an agreement by the previous Council in relation to development contributions and he expressed concern at the lack of services available in rural Ireland.

Item 22. Grants to renovate and lease derelict vacant property.

Ar moladh Cllr. J. Cooney

Cuidithe ag Cllr. P. Burke agus glacadh leis

“I call on Clare County Council to hold information evening in each Municipal District in relation to what criteria and grants are available to renovate and lease derelict vacant property throughout the county.”

Anne Haugh, Director of Social Development and Leonard Cleary, Director of Rural Development replied as follows:

“Clare County Council hosted two of a series of *Housing Options Information Workshops* in Shannon on the 27th February and in Ennis on the on the 5th March 2020. It was planned to continue with these workshops however the events were postponed due to COVID-19. It is hoped to complete the series of workshops at a later date subject to public health guidelines.

The events provided members of the public with information and advice concerning the various options that could be explored in the provision of accommodation to suit their needs. The workshops were targeted at those seeking information on housing options and information on tenant/landlord rights, responsibilities and obligations. The event was supported by the banks, local Auctioneers, mortgage brokers, MABS, the Residential Tenancies Board, the Local Property Tax unit of Revenue, the Housing Agency and Threshold. In addition our Housing team attended to give advice and information on HAP, RAS, Leasing – long term and short term, Housing Adaptation Grants, Rebuilding Ireland Home Loan, Minimum Rented Standards for Rented Dwellings, Repair to Lease scheme and the qualification criteria for social housing support.

In the interim full detail on the ‘*Repair to Lease scheme*’ is available on www.clarecoco.ie

Any property owner interested in discussing making their property available for social housing should contact housing@clarecoco.ie

Rural Development reply:

The Town & Village Renewal Scheme is designed to rejuvenate rural towns and villages under the Department of Rural & Community Development’s ‘Rural Development Investment Programme’. The focus of this scheme over the last 4 years has been on supporting public-realm type activities and the enhancement of town centre amenities, particularly where this aids the economic and/or social recovery of a town or village. Relevant planning permissions, surveys or studies must be in place prior to making an application. Projects supported include those that have a clear positive impact on the town in terms of place-making and town centre regeneration. Also initiatives that seek to encourage town centre living are viewed positively. The repurposing of buildings in town/village centres to facilitate remote working or other community uses would be considered eligible.

Funding of 80-90% of the total cost is available up to a max of €100k.

The closing date for applications under the 2020 Scheme was the 30th September 2020.”

The elected members agreed that the resumption of information workshops in rural villages would prove useful in affording locals an opportunity to engage with and make submissions on Council related projects. Concern was expressed that some towns and villages are struggling to revive derelict buildings due to lack of infrastructure and it was felt that many towns and villages may not have zoned land up to standard.

P. Dowling, Chief Executive addressed the meeting and referred to the pilot scheme being introduced by the Department of Rural and Community Development to fund masterplans for 50 town centres. Mr. Dowling also referred to investment in remote working facilities and expressed confidence that remote working will provide positive results for rural towns and villages. Mr. Dowling informed the members that significant capital funding is required to overturn dereliction in rural Clare.

Item 23. Spa Wells Complex in Lisdoonvarna.

Ar moladh Cllr. J. Garrihy

Cuidithe ag Cllr. J. Killeen agus glacadh leis

“In the context of Cliffs of Moher Strategy, Clare Tourism Strategy, Clare Rural Regeneration Strategy and the success of Clare County Council in managing, operating and securing funding for council owned facilities, heritage sites including the Cliffs of Moher, Loop Head Lighthouse, Vandeleur Walled Gardens, Holy Island, Doolin Pier Development, I call on the Council to engage with Lisdoonvarna Fáilte CLG & the Rooska & SPA Wells Trust with the objective of taking into Council ownership the original destination visitor and heritage of the SPA Wells Complex in Lisdoonvarna. This site and unique, authentic destination Heritage Center with the authentic USP of wellness is in danger of being lost forever along with the very identity of the town built around it in the absence of focussed state intervention.”

Leonard Cleary, Director of Rural Development replied as follows:

“Lisdoonvarna as a town and community presents a unique opportunity for a real sustainable rural settlement in Ireland’s original Victorian spa town and destination for wellness visitor experience. It is important to consider this opportunity in the context that over 80 acres of lands in the town are assets in community ownership and management based on a 99 year lease scheme.

‘Lisdoonvarna Failte CLG’ and the Rooska & SPA Wells Trust’ have arranged for feasibility studies and business planning regarding the heritage and Spa Wells Complex in Lisdoonvarna. These studies were professionally researched by independent experts. The key finding is that there is a significant business opportunity for wellness tourism and that a multi-million euro investment is required. The current model of a community owned company has ensured that these assets are held in trust for the host community. However, it would be an unreasonable expectation that the community could have the capacity to invest and manage a project of this scale. The option of private sector investment has been slow to materialise despite the best efforts of the CLG /Trust to promote it. Thus, a radical new approach needs to be considered by stakeholders.

The scale of the project is a major consideration in replying to the motion. Therefore a practical and honest response is proposed. Clare County Council's Rural Development Directorate and West Clare Municipal District Office does not have staff capacity to take on this project in terms of research, engagement, sourcing grant funding or project management of an investment of this scale. This is based on the fact that the small staff team is already overstretched in seeking to be proactive with projects of scale within our scope. However, the Council will, on behalf of the local community, commit to engage an external advisor to quantify at a high level the scale of the Spa Wells project referring to structures, investment, partners and project management. The terms of reference for such would need to be discussed. The Council cannot become a formal partner in this project at this time, but this exercise could be expedited. The objective of the exercise by the external advisor is to scope the scale of the project and explore the feasibility of private sector investment with possible emerging options such as:

- a) Lisdoonvarna Failte CLG & the Rooska & SPA Wells Trust as a partner with private sector investment.
- b) Lisdoonvarna Failte CLG & the Rooska & SPA Wells Trust to consider releasing the property into private ownership to enable private sector investment.
- c) Another model to be identified.

These options would obviously require serious consideration and ultimately decisions by the CLG and the Trust.

Based on this report, the Council will engage in a discussion with Lisdoonvarna Failte CLG and the Rooska & SPA Wells Trust. Both options, or indeed other emerging options, would require considerable analysis before the Trust could decide on the best model for Lisdoonvarna.

In the wider context, there are opportunities for the Lisdoonvarna community to pursue various Government funding /grants across a range of sectors. Many of these projects are already being worked on by local groups, Clare County Council and other local development and statutory partners. Clare County Council will work with the relevant community groups to connect to these Government grant opportunities.”

Cllr. J. Garrihy provided details of the facility at the Spa Wells complex and outlined the challenges facing Lisdoonvarna Fáilte CLG & the Rooska & SPA Wells Trust. Cllr. J. Garrihy informed the meeting that he felt state investment is needed for this facility. The elected members present welcomed support from Clare County Council and for its assistance in sourcing a solution to facilitate the future of this valuable local asset.

P. Dowling, Chief Executive advised the members that Clare County Council cannot continue to assist projects experiencing difficulty as this is unsustainable. Mr. Dowling stated that community ownership is a very important principle and requirements must be balanced with financial realities.

Item 24. Tullaheer Bog.

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

“That Clare County Council engage with relevant stakeholders to identify the next steps in developing lands at Tullaheer Bog as a wildlife sanctuary and/or a wildlife and nature based outdoor recreation area. This follows the pre-feasibility study commissioned by the Councils West Clare Municipal District and the tourists departments on lands at Tullaheer which includes Tullaheer Lough and bog SAC. This examined

- (a) Conservation and ecosystem significance
- (b) Assessment of public service value
- (c) Analysis of potential for recreational development.”

Leonard Cleary, Director of Rural Development replied as follows:

“The pre-feasibility study completed for Tullaheer Bog highlighted the potential for recreational opportunities, with significant community, tourism and conservation benefits. Further analysis and comprehensive engagement with key stakeholders will be conducted in order to realise the potential for these opportunities and benefits, such as:

- Establish this site as a visitor experience in West Clare area that could encourage a greater spread and longer dwell time of visitors to County Clare.
- Encourage Wellness Tourism with visitors experiencing the associated physical and mental health benefits of being in an environment closer to nature.
- Protect the bog-based wildlife.
- Conserve the biodiversity for future generations.
- Preserve a sense of place and maintain a link to the social and cultural heritage of Rural Ireland.

Clare County Council’s Tourism Department and West Clare Municipal District Office are committed to this process of comprehensive engagement with key stakeholders and relevant state agencies having noted the potential opportunity for this site.”

Cllr. G. Keating briefed the members on the potential of Tullaheer Bog as a wildlife sanctuary and a wildlife and nature based outdoor recreation area. Cllr. G. Keating requested that Clare County Council engage with the purchasers to work together to develop this attraction. This was agreed by the members present.

P. Dowling, Chief Executive undertook to engage with the purchasers in the context of developing this site.

Item 25. Emergency legislation to deal with “Neighbours from Hell”.

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That Clare County Council request the Government to urgently provide, to the various state agencies involved in dealing with the difficult issue, the extra resources needed and if necessary emergency legislation to efficiently & effectively deal with and prevent the huge negative impact that “Neighbours from Hell“ have on the law abiding neighbouring families and individuals peace and quiet, mental health and security & safety?”

The elected members present commended Cllr. J. Flynn for raising this issue and outlined difficulties being experienced by constituents due to anti-social behavior and tenants abusing anti eviction legislation. The members agreed that legislators need to have strong enforcement to address this matter and called on the Government to provide emergency legislation to effectively deal with this problem.

Cathaoirleach, Cllr. M. Howard informed the members that the time had reached 5.40 p.m. and proposed that the remaining items be dealt with at the adjourned meeting on Monday, 19th October, 2020 at 3:45 p.m. in Glór. This was agreed by the members present.

The meeting then concluded.

Signed:

Riarthóir Cruinnithe

Signed:

Cathaoirleach

Date:

Minutes of the adjourned October Meeting of Clare County Council held in Glór, Ennis, Co. Clare on Monday, 19th October, 2020 at 3:45 p.m.

Present:

Councillors M. Howard, C. Colleran Molloy, P. Murphy, A. Norton, P. Daly, A. O’Callaghan, T. O’Brien, J. Crowe, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, P. O’Gorman, S. Talty, J. Killeen, J. Garrihy, S. Crawford, P.J. Kelly, B. Chambers, G. Keating, C. Murphy.

- 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.

Apologies: Cllrs. J. Flynn, J. Cooney, P. Hayes, P. Burke, M. Nestor, M. Begley, I. Lynch.

The Cathaoirleach, Cllr. Mary Howard presided.

Item 26. Accommodation for young adults with disabilities.

Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. P. O’Gorman agus glacadh leis

“Call on the Clare County Council to work closely with the H.S.E. and other relevant stakeholders, to end the practice of "placing" young adults with disabilities in nursing homes in line with articles 14 and 19 of the UN convention on rights of people with disabilities.”

Anne Haugh, Director of Social Development replied as follows:

“The Council leads a Housing and Disability Steering Group which comprises of representatives from the H.S.E. (public, mental health and disability services) and other bodies representing persons with disabilities in the County. This forum provides a platform for inter-agency engagement to consider the housing need and support those with a disability to live independently.

For private housing there are grants available namely, the Housing Adaptation Grant and Mobility Aid Grant, both of these are applicant led and in that regard are tailored to the individual’s need.

The Council support the provision of adapted properties through either social housing or supporting adaptations to private property to meet the individual’s accommodation needs. However, the provision of appropriate accommodation will not in itself suffice for individuals to live independently, and the H.S.E. role in tailoring, funding and delivering the appropriate support/care package is a fundamental element of the

response. The Council is committed to playing its part in the multi-faceted response that is required for these clients.”

Cllr. D. McGettigan welcomed the reply and referred to the UN convention on the rights of people with disabilities. Cllr. McGettigan requested that Clare County Council, the H.S.E. and the Government work together to ensure that proper procedures are put in place when sourcing accommodation for people with disabilities.

Item 27. Military Medals for Gallantry.

Ar moladh Cllr. A. Norton

Cuidithe ag Cllr. M. Howard agus glacadh leis

“That Clare County Council calls on the Government to award the Military Medals for Gallantry and the Distinguished Service Medals to the Irish soldiers who fought at Jadotville in the province of Katanga as part of a UN contingent during the Congo crisis in 1961. These medals were never awarded even though they were recommended by their commanding officer Commandant Pat Quinlan.’

Only 8 of the 32 men who were recommended for Bravery medals are still alive and I fully believe that their bravery when faced with overwhelming opposition that had superior weaponry, outnumbering the Irish soldiers by 10 – 1.”

Cllr. A. Norton informed the meeting that Senator Gerard Craughwell asked Councils to support the awarding of military medals for gallantry and the distinguished service medals to the Irish soldiers who fought at Jadotville. Cllr. A. Norton outlined the importance of highlighting this event and requested that this be supported by the members of Clare County Council. This was agreed by the members present.

The members agreed to discuss Item No 28 and Item No 29 together.

Item 28. Covid 19 restrictions in Maternity Hospitals.

Ar moladh Cllr. A. Norton

Cuidithe ag Cllrs. P. Murphy, M. Begley agus J. Crowe agus glacadh leis

“Re Covid-19 restrictions in Maternity Hospitals, we are requesting that this Council calls on the Minister for Health to provide additional resources (staffing and financial) to all Maternity Hospitals in order to adequately and safely deal with the current unacceptable situation whereby women are labouring alone, with fathers/birthing partners only being allowed in for "active labour" and for a short period after birth of the child.”

Item 29. Covid 19 restrictions in Maternity Hospitals.

Ar moladh Cllr. M. Howard

Cuidithe ag Cllrs. D. McGettigan, S. Crawford, G. Flynn, C. Colleran Molloy agus J. Flynn agus glacadh leis

“Covid 19 has affected every facet of our lives, we have changed and adapted how we greet others, how we work, how we play and how our institutions work.

Restrictions have been lifted or modified to suit many aspects of our world but continuing restrictions are having a devastating impact on women and families who have had to use our maternity services since last March.

Over 30,000 babies have been born since last March and a significant number of women have miscarried babies during this time also and up until now these mothers have had no voice.

Clare County Council request the Minister for Health Mr Stephen Donnelly to immediately consider the Covid 19 restrictions on Maternity Hospitals.

We ask the Minister in his capacity to request hospital management to consider solutions such as:

- Staggered visits from fathers / support person
- The prioritisation of First Time Mothers / Miscarriage
- Testing of support person when women in labour presents as per other non-maternity hospitals
- Pre-labour guidelines such as cocooning for the couple
- PPE

We also need some clarification regarding UMHL which is the main maternity hospital here in the Midwest.

- * Is there a UMHL Covid Taskforce?
- * If so, who is on it? Is there a voice for expectant mothers and their partners?
- * When does this taskforce meet?
- * How is risk assessed?
- * Has hospital management consulted with NEPHET regarding assessment of the building?
- * What additional funding and staffing has been invested to ensure increased care for mothers as they are no longer receiving 1 : 1 support?
- * What are the minimum cleaning requirements?
- * How often are staff tested for C19?
- * Other hospitals in the UHL Group have allowed 1 daily visitor for end of life and critical care patients - why is start of life care not given the same significance?"

The elected members outlined constituents experiences of maternity services since the Covid-19 pandemic began and stated that it can be a lonely and emotional time for couples. It was noted that there are better outcomes when both parents are present for the birth of their baby and the members acknowledged the commitment of midwives in ensuring the safety of mothers and babies. The elected members felt that the rights of mothers must be defended as they need support and security at this time.

Item 30. Driving test centres.

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

“That this Council would request the Minister for Environment, Eamon Ryan to establish driving test centres in towns with a population in excess of 6000, and also appoint a minimum of 30 new driving testers as the present arrangements are not working.”

The elected members expressed disappointment that people have to wait up to eight months to sit their driving test and it was noted that this is having a negative impact on people’s employment opportunities.

It was agreed that Items No. 31 – 34 would be discussed together.

Item 31. Defective concrete blocks scheme.

Due to the absence of Cllr. M. Begley, this was proposed by Cllr. S. Talty, seconded by Cllr. P. O’Gorman and agreed by the members present.

“That Clare County Council request the Minister for Housing, Local Government and Heritage to extend the Defective Concrete Blocks Scheme to County Clare in view of the extensive damage to houses caused by the presence of deleterious materials Pyrite/Mica in the concrete blocks.”

Item 32. Defective concrete blocks scheme.

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

“That Clare County Council requests the Minister for Housing, Local Government and Heritage to extend the Defective Concrete Blocks Scheme to County Clare in view of the extensive damage to houses caused by the presence of deleterious materials Pyrite/Mica in the concrete blocks.”

Item 33. Defective concrete blocks scheme.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. S. Talty agus glacadh leis

“That Clare County Council requests the Minister for Housing, Local Government and Heritage to extend the Defective Concrete Blocks Scheme to County Clare in view of the extensive damage to houses in the County caused by Mica and Pyrite.” If supported by my colleagues I would request the circulation of motion to all Oireachtas Members.”

Item 34. Pyrite Remediation Scheme.

Ar moladh Cllr. S. Talty
Cuidithe ag Cllr. P. O’Gorman agus glacadh leis

“Clare Council requests the Minister for Housing, Local Government & Heritage, Darragh O’Brien T.D. to include County Clare under the Pyrite Remediation Scheme.”

Cllr. S. Talty proposed that this notice of motion be amended to read as follows:

"Clare County Council requests the Minister for Housing, Local Government & Heritage, Darragh O'Brien T.D. to extend the Defective Concrete Blocks Scheme to County Clare."

This was seconded by Cllr. P. O’Gorman and agreed by the members present.

The elected members outlined the extensive damage being caused to houses due to the presence of deleterious materials pyrite/mica in the concrete blocks. The Councillors referred to the Pyrite Remediation Scheme launched recently in Donegal and Mayo to help homeowners whose homes have been affected by the presence of this material and called on the Government to extend this scheme to County Clare. It was agreed that this resolution be forwarded to the Clare Oireachtas Members.

Item 35. Driver licences appointments for OAP’s.

Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. S. Talty agus glacadh leis

“To ask the Minister for Transport for his attention to be drawn to the unsatisfactory delays of driver licences appointments for OAP’s. They are finding it difficult to use the on line system to request a time slot, If consideration will be given to walk in appointments for this age group to renew their licences or if this can complete by post.”

Cllr. J. Crowe gave details of challenges being experienced by older people when making appointments to renew their driver licences due to the booking system being solely online. The members felt that a designated phone number should be available to enable people to arrange appointments. It was also noted that the NDLC only accept payment by card and the members agreed that people should be allowed to pay by cash or cheque as not everybody has access to bank or credit cards.

Item 36. Resumption of Day Services and Respite Care for Service users with disabilities.

Ar moladh Cllr. S. Crawford
Cuidithe ag Cllr. A. Norton agus glacadh leis

“That Clare County Council engage with the HSE and the Brothers of Charity Clare to ensure the resumption of both day services and respite care for service users with disabilities in Co. Clare with urgency.”

Cllr. S. Crawford stated that it is important that there is a voice for the voiceless in our communities who have to fight for service provision. Cllr. Crawford informed the

meeting that there are vulnerable adults with disabilities left in homes in Clare being cared for by elderly parents. Cllr. S. Crawford called on the H.S.E. and the Brothers of Charity to provide respite for people with disabilities or alternatively return funding to families so that they can source private services.

In supporting this resolution the elected members agreed that services are not being renewed for people with disabilities and indicated that this is a huge setback for them as they do not understand why their routine has been taken from them when they cannot attend their service area.

Item 37. Comhfhreagras/Correspondence.

Cllr. G. Flynn referred to response received from the Department of Housing, Planning and Local Government in relation to the Housing Assistance Payment and stated that he was not happy with the response received.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 10th September, 2020 from the Department of Housing, Planning and Local Government in relation to the Housing Assistance Payment Scheme.
2. Correspondence dated 29th September, 2020 from the Department of Rural and Community Development in relation to a pilot scheme for farmhouse accommodation for visitors to rural Ireland.
3. Correspondence dated 29th September, 2020 from the Department of Agriculture, Food and the Marine concerning timber felling licences.
4. Correspondence dated 29th September, 2020 from the Department of Transport regarding Shannon Airport.
5. Resolution circulated by Sligo County Council in relation to TUS and CE employment schemes.
6. Resolution circulated by Kerry County Council in relation to awarding military medals to the Irish Peacekeepers who participated in the Battle of Jadotville in 1961.
7. Resolutions circulated by Meath County Council in relation to (a) bogus waste collectors (b) conclude the baseline review of local authority funding models and (c) LPT equalization fund.
8. Resolution circulated by Louth County Council in relation to the financial impact of Covid 19 on local authorities.
9. AILG-OPR Planning Training for elected members – October webinar entitled Consideration and Finalisation of the Draft Development Plan.

P. Dowling, Chief Executive addressed the meeting and referred to the pending announcement in relation to Covid-19 restrictions nationwide. He informed the members that the Crisis Management Team are due to meet first thing on Tuesday

morning to review the updated guidelines. Mr. Dowling stated that he will take the necessary measures to protect Councillors and staff and provide services. Mr. Dowling undertook to keep members updated in relation to changes and impact and encouraged all to be cautious in the context of meetings and minimizing contacts.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____