

Minutes of Budget 2022 Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via MS Teams on Friday, 26th November, 2021 at 2:00 p.m.

Present:

Councillors M. Howard, M. Nestor, C. Colleran Molloy, P. Murphy, P. Daly, J. Cooney, P. Hayes, A. O’Callaghan, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, P. O’Gorman, J. Killeen, B. Chambers, G. Keating, C. Murphy, I. Lynch.

Attending via MS teams: Cllrs. J. Flynn, A. Norton, P. Burke, T. O’Brien, D. McGettigan, S. Talty, J. Garrihy, P.J. Kelly.

Apologies: Cllr. L. Grant.

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Karen Stackpoole, Senior Staff Officer.
- Ms. Anne Haugh, Director of Social Development.
- Mr. Liam Conneally, Director of Economic Development.
- Mr. Leonard Cleary, Director of Rural Development.
- Dr. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, Director of Finance and Support Services.
- Ms. Caroline O’Connor, Management Accountant.
- Mr. Barry Keating, Administrative Officer, Finance Department.

The Cathaoirleach, Cllr. P.J. Ryan presided. At the outset he reminded the members of the purpose of this meeting:

- to consider the Chief Executive’s Draft Budget of Clare County Council for year ending 31st December, 2022;
- consider the Capital Programme 2021 – 2023 in accordance with Section 135 (2) of the Local Government Act, 2001, as amended by the Local Government Reform Act, 2014;
- adopt the nine resolutions for the adoption of the budget, the annual rate on valuation, the vacant property scheme and associated draft budget 2022 grant schemes.

The Cathaoirleach then called on the Chief Executive, Pat Dowling to introduce Budget 2022.

Mr. Dowling addressed the meeting and stated that because of the Covid-19 crisis, 2020 and 2021 will live long in the collective memory as years of global damage and suffering. In Ireland local authorities were central to the Government’s response throughout the pandemic from supporting the H.S.E., to responding to the needs of vulnerable citizens and struggling businesses and the ability of Council’s to

effectively reprioritise their work programmes, demonstrated their flexibility and resourcefulness at a time of crisis. We developed innovative ways of working,

Clare County Council demonstrated it's capacity to adapt. It rose to the challenge. Staff were willing to adjust and provide support where needed across the organisation. The ICT team worked tirelessly to ensure that adequate systems and supports were in place. We accelerated the modernisation of our work practices and systems with significant investment in information and communications technology. Remote working will no doubt be a feature of the future landscape. As we come to the end of 2021 and with the ongoing successful rollout of the vaccination programme supplemented by the booster vaccine – we hope to begin to return to some normality in the early months of 2022. Only then perhaps will a fuller understanding of the pandemics impact on local government/in Clare County Council, especially in areas like finance and service delivery, become clearer.

Mr. Dowling further stated that while Clare County Council will always seek to be positive and confident for the future, we must also be pragmatic and realistic about the challenges that exist. Covid-19 and the emergency measures taken to mitigate it have had a significant impact on our finances. Our projected return on our finances in 2021 clearly illustrates this. It has resulted in a reduction in and uncertainty over various income sources, together with increased levels of unexpected expenditure. Reductions in expected income streams also has a bearing on cash flow and the ability to deliver services. Central Government introduced a number of schemes including rates waiver and restart grants and other reimbursements, total Covid-19 related financial support to local authorities in 2021 was €59m. Such supports will not and cannot continue indefinitely. The years 2022, 2023 and beyond will challenge us as we enter into an extremely inflationary and uncertain period, reduced future rateable base and potential loss of other local income must therefore inform the framing of our 2022 annual budget.

Mr. Dowling stated, that in presenting the Clare County Council Draft Budget 2022 to the members, the proposed current/revenue account totals €138.7m, which is an increase of €7.3m over 2021. Also, there is a projected capital spend of over €400m over the three year period 2022-2024, dependent upon income grants and matching funding. He also noted and acknowledged the decision by a majority vote of the members concerning the Local Property Tax (Local Adjustment Factor) at it's meeting of 12th July, 2021.

Mr. Dowling reminded the members of the extreme difficulty faced by the Finance Department concerning the revaluation of ESB Moneypoint which again creates a huge deficit of €2.8m in 2022 – while yet to be confirmed, he has provided that this amount will be offset by Minister Darragh O'Brien, Department of Housing, Local Government and Heritage and he thanked Minister O'Brien and his officials for all their support. The significant reduction in income from our former vibrant tourism sector has also added to the burden of balancing our finances in 2022. He further reminded the members, that for over twenty five years leading up to 2016, Clare County Council carried a deficit (loss) on its annual accounts. At the height of this period the Council had an accumulated loss of over €9m. In years 2016, 2017, 2018, 2019, 2020, we returned a balanced situation with a slight surplus.

Mr. Dowling informed the meeting that the anticipated outcome for 2021 is of concern and may unfortunately buck that trend. Clare County Council is determined not to slip back, while the climate has never been so difficult, we must, nevertheless, seek to keep our finances on an even keel. Mr. Dowling stated that the budget book sets out the detailed plans to advance a range of capital projects, initiatives and programmes across the Physical, Economic, Social and Rural Directorates. Our staff will continue to drive change and exploit opportunities and will show continuing resilience into 2022 and beyond. Through our monthly Management Reports, debate at ordinary Council meetings and Municipal District meetings, discussion of policy at SPC and others, you will be updated and engaged on the vast number and variety of projects across the county being driven by Clare County Council.

In summary, regarding the Budget for 2022, while Clare County Council benefitted from Government support during 2020 and 2021, it was always going to face residual deficit challenges in an emerging post Covid-19 scenario. 2022 brings that challenge to a stark reality.

Mr. Dowling thanked the Cathaoirleach, Cllr. P.J. Ryan for his ongoing support and he thanked all the members who engaged in the preparation of this budget at Municipal District and county level and also members of the CPG who gave many hours work over recent weeks.

Mr. Dowling acknowledged the hard work of the Council's Finance team under Noeleen Fitzgerald, Director of Finance and Support Services, ably supported by Caroline O'Connor and others and stated that the preparation of the Budget for 2022 has been extremely difficult. Mr. Dowling recommended the Draft Budget 2022 to Council for consideration.

Noeleen Fitzgerald, Director of Finance and Support Services gave a presentation on Clare County Council's Draft Budget 2022 and outlined the purpose of the meeting as follows:

1. Consider the Chief Executive's Draft Budget of Clare County Council for year ending 31st December, 2022.
 - i. Adopt budget 2022
 - ii. To determine, in accordance with the Budget adopted, the annual rate on valuation to be levied.
 - iii. To determine the proportion of commercial rates refund / credit that applies on vacant properties in 2022 within the administrative area of Clare County Council, in accordance with the provisions of Section 31 of the Local Government Reform Act, 2014, and Part 5 of the Local Government (Financial and Audit Procedures) Regulations, 2014, and Section 14 of the Local Government Act, 1946, which is recommended to be set at 25% for 2022.
 - iv. To consider the adoption of the Vacant Property Refund Scheme 2022 to encourage the beneficial use of commercial property in accordance with Section 66 of the Local Government Act, 2001, as amended by

Section 43 of the Local Government Reform Act, 2014. Tiered vacancy credit relief as outlined in Chief Executive Report

- v. To consider the adoption of the Small and Medium Business 10% Support Scheme 2022 in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.
- vi. To consider the adoption of the Hospitality 5% Support Scheme 2022 in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.
- vii. To consider the adoption of the Long Term Vacant Property Incentive Scheme 2022 from 01/01/2022 until 31/12/2022 in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.
- viii. To Approve Additional Expenditure 2021 Under Section 104 Local Government Act 2001 for the financial Year 2021 as set out in the Draft Budget report 2022- table B.
- ix. To approve under Section 66 of the Local Government Act, 2001, Contribution to
 - Shannon Leisure Centre;
 - Glór;
 - Kilkee Waterworld;
 - Lahinch Seaworld.

Ms. Fitzgerald provided an outline of the highlights of the draft Budget 2022 together with details of Clare County Council's 2021 outturn, draft capital budget 2022 – 2024 and draft revenue budget 2022. Ms. Fitzgerald presented details of the revenue and capital expenditure as well as details of the capital expenditure for 2018 – 2022. In outlining the detail of the draft Budget 2022 she stressed to the members that the budget was framed with a proposed 3.8% increase to the Annual Rate on Valuation (AVR). She reminded the members that the AVR had not increased in 13 years and if increased would ensure an additional income net worth of €1.3m. Ms. Fitzgerald also gave a breakdown of the proposed rates increase along with details of rates rebates/waivers/grants available for certain business examples in the county as outlined in summary below in order to illustrate to the members the actual impact of the increase to the ratepayer.

Detail	Number of Properties	Percentage of Total Occupied Properties	Value of average increase in this category	Value of average credit available under SME scheme
			Annual Cost	Annual Credit
Total Occupied Commercial Properties	3430			
Customers that are levied less than €1,500	1270	37%	32	85
Customers that are levied between €1,500 and €2,500	611	18%	74	195
Customers that are levied between €2,500 and €5,000	707	21%	132	347
Customers that are levied between €5,000 and €7,500	269	8%	225	593
Customers that are levied between €7,500 and €10,000	128	4%	328	864
Customers in Hospitality with Rates greater than €10k	56	2%	1746	
Less than €10k entitled to SME 10%		87%		

She concluded by thanking the Cathaoirleach for his ongoing support, the members of the Corporate Policy Group and the elected members for the various discussions/meetings at Municipal District level and at county level. She thanked the Chief Executive and the Directors of Service. She particularly acknowledged the work of her colleagues in Finance Caroline O'Connor, Trina Rynne and Barry Keating in the preparation of this budget.

Social Development Directorate

Division A Housing and Building
Division F Recreation & Amenity

Cllr. G. Flynn, Chair of the Social Development S.P.C. addressed the meeting and provided an outline of activities for the Social Development Directorate which administers responsibility for the housing, cultural and recreational services delivered by Clare County Council.

Cllr. G. Flynn provided details of the capital programme for the Social Development Directorate as well as provisions in housing maintenance, tenancy management, homeless services, RAS, HAP and Social leasing. Budget 2022 makes provision for the retention of the recently established Tenancy Enforcement Team which has delivered a valuable addition to the Estate Management function throughout 2021.

Cllr. G. Flynn also outlined provisions for library and arts service as well as the leisure facilities. He advised the members that the long anticipated new County Library is also due to resume works onsite in the coming weeks.

Physical Development Directorate

Division B Road Transport and Safety
Division C Water Services
Division E Environmental Services
Division G Agriculture, Education, Health & Welfare

Cllr. J. Crowe, Chair of Physical Development S.P.C. addressed the meeting and provided a summary of activities for the Physical Development Directorate. Cllr. J. Crowe provided details of capital projects being managed by the Council's Project Management Office together with projects being undertaken by the Road Design Office, the General Design Office and the Emergency Services.

He congratulated the staff of Ennis Municipal District, the Environment and Gardening Sections on Ennis winning Ireland's Tidiest Town 2021.

Cllr. J. Crowe stated that Clare County Council continues to deliver the objectives of the climate change adaptation strategy.

The Fire Service Maintenance Workshop was completed in 2021 and funding for a new Fire Appliance has been secured which will be delivered in 2022.

Clare County Council will continue to manage and operate water services on behalf of Irish Water under the terms of the Service Level Agreement.

Economic Development Directorate

Division D Development Management

Cllr. P. McMahon, Chair of the Economic Development S.P.C. addressed the meeting and outlined key objectives for the Economic Development Directorate for 2022 which include progressing the application to Government for the University of Limerick/South Clare Campus Strategic Development Zone (SDZ), Clare Maritime Training Facility in Kilrush, Killaloe-Ballina Town Enhancement and Mobility Plan, Ennis 2040 and the Shannon Town Centre Masterplan.

Remediation of the Roche Facility in Clarecastle has now commenced as has work on a Roche site Masterplan.

Cllr. P. McMahon provided an update on the Ennis 2040 Economic and Spatial Strategy, the review of the County Development Plan 2023 – 2029, Local Enterprise Office, development management, development contributions, taking in charge and property management.

The Economic Directorate work programme for 2022 is extensive and its delivery will involve help from both inside and outside the organisation.

Rural Development Directorate

Division D Development Management

Cllr. P. Hayes, Chair of the Rural Development S.P.C. addressed the meeting and provided an overview of the main activities in this area which included progressing works under the Clare Digital Strategy with the completions and upgrade of 10

Digital Hubs. Budget 2022 plans for significant investment in the implementation of the Clare Tourism Strategy 2030 and also preparation of a draft Cliffs of Moher Strategy 2040

Cllr. P. Hayes provided details of rural and community projects that were supported by grant funding at local level with €361,500 being proposed for the 2022 Community Grants Scheme.

Cllr. P. Hayes informed the meeting that investment continues at a multi-million euro level in our Clare RRDF projects at Inis Cealtra (Holy Island), Loop Head Lighthouse and Vandeleur Walled Garden. There will also be large scale improvements to the visitor facilities at the Cliffs of Moher which will be self-funded.

Cllr. P. Hayes in concluding advised that recent government capital funding had been approved for small to medium projects and will engage with the 2022 budget and thus further national grants will be administered by the Rural Directorate in 2022.

Division H Miscellaneous Services
Division J Central Management Services

Details of Finance and Support Services were outlined in the Draft Budget 2022.

The elected members raised queries in relation to the Local Property Tax equalisation fund, the hospitality rebate scheme and the proposed 3.8% increase in the Annual Valuation Rate. The members are steadfast in their belief that the LPT equalisation fund does not favour County Clare and raised their concerns again stating that money collected in Clare should be retained in our local authority. Noeleen Fitzgerald, Director of Finance and Support Services replied to the queries raised by the members. In addition, the Chief Executive also advised the members that it is proposed that the Local Property Tax equalisation fund will be reviewed by the Minister in 2023.

The elected members thanked Pat Dowling, Chief Executive, Noeleen Fitzgerald, Director of Finance and Support Services and her team and all the Council executive for their work and support in preparing Budget 2022. The Councillors present acknowledged the engagement by the Council executive in sourcing solutions to issues raised during the year and addressing these issues in the budget for 2022.

Nonetheless, a number of members queried whether the budget meeting could be deferred for a number of days in order for solutions to be found to come up with the €1.3m deficit. They felt that a solution if found, would ensure that the 3.8% rates increase would not be imposed on the ratepayers of the county. It was decided by all in attendance to put this to a vote.

The Cathaoirleach then called a vote on same.

The vote on this proposal resulted as follows:

In favour: Cllrs. J. Flynn, C. Collieran Molloy, T. O'Brien, J. Killeen, J. Garrihy, PJ. Kelly, I. Lynch (7).

Against: Cllrs. M. Howard, M. Nestor, P. Murphy, A. Norton, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O'Callaghan, J. Crowe, M. Begley, P. J. Ryan, P. McMahon, G. Flynn, P. O'Gorman, S. Talty, B. Chambers, G. Keating, C. Murphy. (19)

Not present: Cllrs. D. McGettigan, L. Grant (2).

The Cathaoirleach declared the vote defeated.

Cllr. J. Cooney then proposed that the budget as presented be adopted, this was seconded by Cllr. P. Hayes.

The following proposal was read out by the Meetings Administrator, as proposed by Cllr. J. Cooney and seconded by Cllr. P. Hayes. The Cathaoirleach then called a vote on same.

(i) "That pursuant to Section 103 of the Local Government Act 2001 (substituted by Section 58 of the Local Government Reform Act 2014) the Draft Budget 2022 as presented by the Chief Executive is hereby adopted".

The vote on this proposal resulted as follows:

In favour: Cllrs. J. Cooney, P. Hayes, P. Burke, A. O'Callaghan, J. Crowe, M. Begley, PJ. Ryan, P. McMahon, G. Flynn, P. O'Gorman, S. Talty, J. Killeen, J. Garrihy, B. Chambers, G. Keating, C. Murphy. (16).

Against: Cllrs. M. Howard, M. Nestor, J. Flynn, C. Collieran Molloy, P. Murphy, A. Norton, P. Daly, T. O'Brien, PJ. Kelly, I. Lynch. (10)

Not present: Cllrs. D. McGettigan, L. Grant (2).

The Cathaoirleach declared resolution carried.

Ar moladh Cllr. C. Murphy
Cuidithe ag Cllr. A. O'Callaghan agus glacadh leis

(ii) "That the Council hereby determine in accordance with the draft budget 2022 as presented by the Chief Executive, the General Annual Rate on Valuation for the County of 75.76 set out in Table A."

Ar moladh Cllr. P. Hayes
Cuidithe ag Cllr. P. McMahon agus glacadh leis

(iii) "That in accordance with the provisions of Section 31 of the Local Government Reform Act, 2014, and Part 5 of the Local Government (Financial and Audit Procedures) Regulations, 2014, and Section 14 of the Local Government Act,

1946, that the proportion of commercial rates refund / credit that applies on vacant properties in 2022 will be 25%”

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

(iv) “That to encourage the beneficial use of commercial property, approve in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014, a tiered vacancy property refund/ credit scheme as outlined in the Chief Executive Report and below”.

Band	%
Up to €20,000 Annual Rate Demand	75%
€20,001 to €50,000 Annual Rate Demand	50%
€50,001 to €100,000 Annual Rate Demand	25%
Over €100,001 Annual Rate Demand	0%

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

(v) “To consider the adoption of the Small and Medium Business 10% Support Scheme 2022 in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.

The SME 10% Support Scheme for 2022 is in respect of occupied properties, with a total rates value up to €10,000, will provide for a 10% credit, to a maximum of €750.00, against the subsequent year commercial rates liability where the customer discharges their rates invoice by direct debit in the year. Exceptions to the scheme:

- Pipeline, Mast/Antenna, Generating Station, Advertising Station, Global Valuations and ATM.”

Ar moladh Cllr. J. Killeen
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

(vi) “To consider the adoption of the Hospitality 5% Support Scheme 2022 in accordance with Section 66 of the Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.

The Hospitality 5% Support Scheme 2022 is in respect of occupied Hospitality Sector properties, with a total rates value above €10,000, will provide for a 5% credit, against the subsequent year commercial rates liability where the customer discharges their rates invoice in the year or are in an agreed payment plan to discharge the total balance due by 31st December 2023”

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

(vii) “To consider the adoption of the Long Term Vacant Property Incentive Scheme 2022 from 01/01/2022 until 31/12/2022 in accordance with Section 66 of the

Local Government Act, 2001, as amended by Section 43 of the Local Government Reform Act, 2014.

By encouraging the re-occupation of vacant premises that were previously occupied and now vacant, the grant scheme is a grant of the following where the commercial rates are paid in full in the financial year. The scheme for 2022 will be reviewed and realigned to the commercial rate calendar year.

- 75% of commercial rates payable in year one up to a maximum of €3,750
- 50% of commercial rates payable in year two up to a maximum of €2,500
- 25% of commercial rates payable in year three up to a maximum of €1,250.”

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

(viii) “Pursuant to the provisions of Section 104 of the Local Government Act 2001, additional expenditure in the amounts set out below in respect of the Divisions listed is hereby approved:

Division A:

Housing and Building **€2,500,000** (Ras, Leasing and Vacant Stock)

Division B:

Road Transport & Safety **€2,250,000** (Road Grant Allocations)

Division C:

Water Services **€100,000** (Water Services Recouped)

Division E:

Environmental Services **€600,000** (Litter Management-Covid-19 Grant scheme)

Division F:

Recreation & Amenity **€600,000** (Amenity Maint – Covid-19 Grant scheme)

Division H:

Miscellaneous Services **€1,400,000** (Commercial Rates Waiver: Covid-19 Grant scheme)

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

(ix) That pursuant to Section 66 of the Local Government Act, 2001, as amended by Section 43 of the local Government Reform Act, 2014, that total assistance, in the form of both cash and non cash payments, to the bodies outlined below is hereby approved.

Lahinch Seaworld €141,000

Shannon Leisure Centre €144,500

Kilkee Waterworld	€120,000
Glór	€270,000

At this point in the meeting Cllr. J. Flynn, raised an issue with resolution number (ii) above regarding an increase to the annual rate on valuation. He advised the Cathaoirleach and all members present that he opposed this resolution. It was confirmed and agreed with the members that the vote against resolution (i) (adoption of the Draft Budget 2022) also applied to resolution (ii).

The Cathaoirleach thanked the members, Chief Executive, Directors of Service and Director of Finance and Support Services and their staff for their co-operation in the preparation and adoption of the Budget for 2022. He also thanked members of the Corporate Policy Group and all members for their input into the Budget process.

The meeting then concluded at 16:37 p.m.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____