

Minutes of the December Monthly Meeting of Clare County Council held in the Council Chamber, New Road, Ennis, Co. Clare and via MS Teams on Monday, 13th December, 2021 at 3:45 p.m.

Present:

Councillors M. Howard, M. Nestor, P. Murphy, P. Daly, J. Cooney, A. O’Callaghan, T. O’Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, P. O’Gorman, J. Killeen, B. Chambers, G. Keating, C. Murphy, I. Lynch.

Present via MS Teams:

Councillors J. Flynn, C. Colleran Molloy, A. Norton, P. Hayes, P. Burke, S. Talty, J. Garrihy, L. Grant.

- 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.
- Dr. 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.

Apologies:

Cllr. P.J. Kelly.

The Cathaoirleach, Cllr. P.J. Ryan presided.

Congratulations.

- The Cathaoirleach extended congratulations to Ennis Tidy Towns on Ennis being named the winner of the 2021 [Supervalu](#) National Tidy Towns awards.
- Congratulations were offered to Conor Moloney, Tony Butler and Ethan Coughlan from Ennis Rugby Club who played on the Munster Rugby Team during the weekend.
- Clare McGrath, Water Safety Development Officer was congratulated on being appointed Chair of Water Safety Ireland recently.

Votes of sympathy

- The Dowling family Donabate, Dublin on the death of Sean Dowling, RIP
- The Queally family Ennis on the death of Pauline Queally, RIP
- The McInerney family, Kilrush on the death of Michael McInerney (Mickey Mac), RIP
- The Keogh family, Tulla on the death of John (Jackie) Keogh RIP
- The Furlong family, Kilkee on the death of Jimmy Furlong, RIP
- The O'Donnell family, Shannon on the death of Hugh O'Donnell
- The Morrissey family, Mullagh on the death of Peggy Morrissey, RIP
- The Pearl family, Flagmount on the death of Eileen Pearl, RIP
- The Ryan family Kilnasoolagh, Newmarket on Fergus on the death of Christina Ryan, RIP
- The McCoy family, Kilnasoolagh, Newmarket on Fergus on the death of Pat McCoy, RIP

Item 1: Minutes of Council Meetings.

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

“That the Minutes of the November Meeting of Clare County Council held on 8th November, 2021 be adopted and signed.”

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

“That the Minutes of the Budget 2022 Meeting of Clare County Council held on 26th November, 2021 be adopted and signed.”

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

“That the Minutes of the Special Meeting of Clare County Council held on 30th November, 2021 be adopted and signed.”

Item 2: Matters Arising.

There were no matters arising.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. T. O'Brien
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 15th September, 2021 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 21st September, 2021 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 8th November, 2021 be noted.”

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

“That the Minutes of the West Clare Municipal District Meeting held on the 7th September, 2021 be noted.”

e. Ar moladh Cllr. J. Killeen
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 30th September, 2021 be noted.”

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

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

“That the minutes of the Physical Development S.P.C. meeting held on 7th September, 2021 be noted”.

b. Ar moladh Cllr. G. Keating
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the minutes of the Rural Development S.P.C. meeting held on 21st September, 2021 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 1st November, 2021 as presented.

Item 6: Monthly Management Report.

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

Cllr. C. Murphy requested an update on the costs involved in the recent tender for the remediation of asbestos.

Cllr. C. Murphy commended the work of the Rural Development Officers and outlined the importance of their commitment to delivering projects.

Cllr. G. Keating praised the work carried out in developing the Little Arc Visitor Centre.

Cllr. G. Flynn stated that he had received calls from concerned residents in Shannon in relation to the Shannon Town Flood Relief Scheme and asked when work on the embankments will commence.

Referring to asbestos remediation, P. Dowling, Chief Executive informed the meeting that this is part of a long-term strategy, that the costs are significant and that work is ongoing at the moment in maintaining sites in a safe manner.

P. Dowling, Chief Executive stated that the appointment of Rural Development Officers is an initiative of Clare County Council, and that Government support has been received for these positions.

In relation to Shannon Town Flood Relief Scheme, P. Dowling, Chief Executive stated that work is progressing on this significant technical project and that Clare County Council is continuing to work with the OPW in this regard. Mr. Dowling stated that the Government has committed funding to this project.

Cllr. M. Begley stated that the upgrade of the water main from Athlunkard to Larkins Cross was due to commence in December and noted that work on the ground has not begun.

S. Lenihan, Senior Engineer, Physical Development referred to the Shannon Town Flood Relief Scheme and stated that this Scheme has to be looked at from a technical, environmental and economic point of view and that there is a lot of work involved. Mr. Lenihan stated that Shannon Airport have been repairing existing embankments and that Clare County Council has to design a complete scheme for the town and the industrial estate. Mr. Lenihan undertook to invite the consultants to the next Shannon Municipal District meeting in order to brief the elected members on the project. This was welcomed by Cllr. G. Flynn.

Cllr. T. O'Brien complimented Clare County Council on work progressing on Inis Cealtra, Shannon Bridge Crossing and the Killaloe Ballina Town Enhancement projects.

Cllr. P. Burke welcomed renovation works at Clonrush cemetery and the Inis Cealtra project as well as the old rectory in Mountshannon and complimented everybody associated with these projects.

Cllr. J. Garryhy paid tribute to the emergency services who responded to an incident he was involved in at the weekend and he also commended the emergency services and the ESB for their work during storm Barra. Cllr. Garryhy referred to the value of sport to communities and stated that investment in sport and recreation is immeasurable and he complimented the team in Sports & Recreation Section and Clare Sports Partnership for their continued support. Cllr. Garryhy wished Corofin and Eire Óg football clubs well in their upcoming games. Cllr. Garryhy requested an update on the timeframe for the Miltown Malbay reservoir project.

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

Report dated 12th November, 2021 from Carmel Greene, Senior Executive Officer, Economic Development Directorate was circulated with the agenda together with map. The report states that it is proposed to dispose (by lease) of an area of lands at Bunnow, Ballaghboy, Doora, Co. Clare subject to the conditions as set out in the notice served on the members dated 12th November, 2021.

Ar moladh Cllr. P. Daly
Cuidithe ag Cllr. M. Howard 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 (by lease) of lands measuring 0.63 hectares at Bunnow, Ballaghboy, Doora, Co. Clare subject to the conditions as set out in the notice served on the members dated 12th November, 2021.”

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

Report dated 19th November, 2021 from Carmel Greene, Senior Executive Officer, Economic Development Directorate was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Ballyoughtra, Tulla, Co. Clare subject to the conditions as set out in the notice served on the members dated 19th November, 2021.

Ar moladh Cllr. J. Cooney
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 property at Ballyoughtra, Tulla, Co. Clare subject to the conditions as set out in the notice served on the members dated 19th November, 2021.”

Item 9: Consideration and endorsement of

a) the Killaloe-Ballina Town Enhancement & Mobility Plan (November 2021) and

b) the Associated Strategic Environmental Assessment (Environmental Report) and Appropriate Assessment (Natura Impact Report).

Report dated 29th November, 2021 from Brian McCarthy, Senior Planner was circulated with the agenda. The report states that the twin towns of Killaloe and Ballina, on either side of the River Shannon, have for many years functioned with a high degree of mutual support and interdependency. Residents from both towns cross the historic bridge over and back daily, whilst there is a strong tradition of co-operation between the two towns, communities, economies, and local authorities.

Clare County Council, in conjunction with Tipperary County Council, has prepared a Killaloe-Ballina Town Enhancement and Mobility Plan for Killaloe-Ballina. The Plan will facilitate a coordinated approach to public realm enhancements within Killaloe and Ballina, providing a clear vision for Killaloe and Ballina as linked settlements. Central to all future developments in the linked settlements is the Killaloe Bypass and Shannon Bridge Crossing which will provide a western bypass for Killaloe town, a new bridge crossing of the River Shannon, undoubtedly changing travel and mobility patterns into and around both settlements. The objective of the Killaloe-Ballina Town Enhancement and Mobility Plan is to proactively prepare, in a plan-led manner the development of settlements post-operation of the bypass. An objective of the plan is also to propose several measures and interventions that can be undertaken in advance of the bypass.

Over the last year and following two rounds of public consultation, the plan has been prepared and completed. The Plan was endorsed on 10th November by elected members of Killaloe Municipal District and on the 18th November by Tipperary County Council via the Nenagh Municipal District. It was an express request of both groups of Municipal District Members’ that the Killaloe-Ballina Town Enhancement and Mobility Plan would be brought to their respective full Council meetings of Clare County Council and Tipperary County Council in December and in that regard, the Killaloe-Ballina Town Enhancement and Mobility Plan is being submitted for the members consideration. The non-statutory plan is here for your endorsement and has been subject to a full Appropriate Assessment and Strategic Environmental Assessment.

The Killaloe-Ballina Town Enhancement, Tourism and Mobility Plan comprises a number of components, including:

- A Place Making and Public Realm Plan/Strategy and Street Furniture Design Guide
(lighting/surface treatment),
- A Tourism Strategy - tourism plays a significant role in the local economy of both Killaloe and Ballina.
- Identification of initiatives that will encourage an increase in commercial activity on the Main Street in Killaloe and in Ballina. Public realm enhancement, traffic management, car-parking and pedestrian connectivity to the town centres from the residential, educational, community, public spaces and tourism facilities will be considered in this context.

The plan proposes a number of placemaking and urban design enhancements in Killaloe around:

- St Flannan's Cathedral and the Deanery Field.
- Johnson House and Tobermurragh and Banes Field.
- Proposals for the Courthouse.
- Improvement along the laneways.
- Improvements to Main Street.
- Proposal for the Killaloe-Bridge – one of the oldest crossing points along the River Shannon to be the centrepiece for Tourism for the River Shannon at this location between the WAW and Ireland Hidden Heartland through the pedestrianization of the bridge, post bypass and the reimagining of public spaces either side, both in Ballina and at Bridge Street, Killaloe the entrance to County Clare from Ireland.

Whilst the Masterplan sets out in detail the ambition and vision of both Local Authorities for the Towns, a number of projects will be the subject of project level public consultation.

Subject to endorsement of the full Councils there are opportunities set out in the Plan to capitalise further on the towns' assets to collectively expand the tourism product, attract increased visitor numbers and maximise local economic benefits. This Killaloe-Ballina Town Enhancement and Mobility Plan will inform future funding applications and town enhancement projects.

The Plan as presented was approved having been proposed by Cllr. T. O'Brien, seconded by Cllr. J. Cooney and agreed by the members present.

Cllrs. T. O'Brien and J. Cooney referred to the amount of time and effort that has been invested in this joint collaboration and complimented Brian McCarthy, Senior Planner. They stated that this is a worthy plan and welcomed the enthusiasm and willingness to see it come to fruition.

P. Dowling, Chief Executive thanked the members in Killaloe Municipal District, Anne Haugh, Killaloe Municipal District Co-Ordinator and Joe McGrath, Chief Executive in Tipperary County Council and acknowledged the support received in preparing this Plan which will create long term links between Killaloe and Ballina.

Item 10. Apprenticeships.

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

“In keeping with its long standing tradition of offering limited apprenticeship places in the trades and allied work experience, that Clare County Council would expand its role in this regard with the initiation of the process for recruitment of apprenticeships into the trades and green skills, i.e. carpenters, block layers, plasterers, plumbers, fitters, mechanics, electricians, retrofitting personnel, alternative energy technicians, etc. This would signal a positive response to the Government call for the take up of apprenticeship training courses by local authorities and would be in line with the underlying principle for the broadening of this cohort of trainee students. It would facilitate the Councils commitments to incorporate appropriate green adaption and mitigation practices in its work programme and plans, as part of its suite of climate change measures. Further would provide the opportunity for the Council as a housing authority to fulfil its obligation to carry out upgrading in maintenance and retrofitting of its housing stock to the highest standard of green remedial measures allied with the Ennis 2040 and the Clare Rural Development Strategy 2026 this initiative would mark out Clare as a progressive and relevant public body in the modern era.”

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

“The Action Plan for Apprenticeship 2021-2025 was launched in April 2021 and sets out a number of objectives relevant to the Public Service and includes employer driven responses as a key objective. The Department of Further and Higher Education, Research, Innovation and Science is leading this initiative. This Council participated in a Department led online session on December 1st last which provided an overview of Government Policy regarding apprenticeship and outlined next steps in the process.

Clare County Council continues to support apprenticeship programmes and currently employs apprentices in the areas of Heavy Vehicle Mechanic (2) and Accounting Technician (1). One of the overarching requirements for a successful apprentice scheme is the presence of the skilled personnel to work through an agreed and developed tailored apprenticeship programme.

A sectoral approach is being taken in this regard and the Local Government Management Agency is working with the Department of Further and Higher Education, Research, Innovation and Science to identify the areas appropriate to Local Government. We have provided our feedback to this body of work on the areas that councils can engage in and will again outline the members view expressed in this Notice of Motion.”

The elected members in supporting this notice of motion expressed concern in relation to the scarcity of young people taking up apprenticeships. The members agreed that there is a vital role to be played by apprenticeships in the construction industry. It was felt that there is a tendency in secondary schools to encourage students to pursue third level education and the members felt that it is important to discuss and encourage the option of taking up a trade with students. It was noted that a co-ordinated system is needed whereby apprenticeships are trained, accredited and paid accordingly. The members also felt that more females should take up apprenticeships.

Item 11. Grant aid to community groups.

It was agreed that this item be deferred to the January Council meeting.

Item 12. Positive brands at access points to County Clare.

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

“That Clare County Council examine the options for positive brands at the various access points to the county.”

Deirdre O’Shea, A/Head of Tourism replied as follows:

“The County of Clare is endowed with a significant number of positive destination brands to include the Wild Atlantic Way, Ireland’s Hidden Heartlands, the Shannon Estuary Way, the Lough Derg Blueway, the Burren and Cliffs of Moher UNESCO Global Geopark as well as the incoming Burren Discovery Trail.

The core objective of such brands is to:

- ✓ Encourage visitors to stay longer and engage more with the offering in the region i.e. within the local towns, villages, landscapes and attractions.
- ✓ Benefit local communities and businesses by encouraging visitors to spend more time in the locality.
- ✓ Invite visitors to contribute to and share Clare’s priority of delivering sustainable tourism.
- ✓ Give local people and visitors alike a deep sense of pride of place.

With such strong brand identifiers within one County and in line with the Clare Tourism Strategy 2030, we will continue to work with industry partners to deliver vibrant experiences that promote the associated experiential themes and differentiate Clare in the national and international marketplace.

In direct response to the motion requested, we will continue to liaise with Fáilte Ireland and State Agencies on the provision of additional directional signage to the above trails and ways.”

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

“The Roads and Transportation section will at all times promote and support a positive brand at access points to the county where possible.

The signage on the main access points on the national road network is controlled and designated by Transportation Infrastructure Ireland and is in line with national specification and formats. When signage schemes on these routes are reviewed by T.I.I., the Roads & Transportation section is committed to promoting the positive branding of the county during any consultation process.“

The elected members agreed that signage displaying what is available in local communities can enhance local communities and encourage visitors to stay in a locality. The members felt that there is a need to integrate what we have and make it

coherent in order to add to the value of what is available by having a consistent message running through the entire county.

P. Dowling, Chief Executive stated that Clare County Council can take ownership of the branding concept and deliver on this project.

Item 13. All weather drone.

Ar moladh Cllr. P.J. Ryan

Cuidithe ag Cllr. M. Howard agus glacadh leis

“In light of the recent successful outcomes (a first in Ireland) of the search and rescue services, of Clare Civil Defence, using a drone which has limitations, that this council would complement the present drone with an all weather drone fitted with infra-red capability.”

Adrian Kelly, Chief Fire Officer replied as follows:

“Clare Civil Defence, currently with 85 active volunteers continue to supply a range of services to members of the public, in addition to the provision of assistance to the Principal Emergency Services.

These services include the provision of an Emergency Medical Service both for local community events, and at larger events such as the All Ireland Fleadhs and the Lahinch Irish Open; the provision of a swiftwater rescue and flooding response throughout the county as has been seen in South East Clare and elsewhere in recent years, together with assistance to the Emergency Services, including their search and rescue capabilities.

Since the start of the current pandemic, Civil Defence Volunteers have responded to call for assistance through the Community Forum with the delivery of food to members of the public and frontline workers, delivery of PPE to nursing homes around the county, and assistance to the Irish Blood Transfusion Service when running Clinics within the County.

In October of this year, Clare Civil Defence completed two successful search & rescue operations that were tasked by An Garda Síochána, with both operations involving persons that became trapped and disorientated in isolated areas on the outskirts of Ennis. Using their current drone, which has many innovative features including a Thermal Imaging Camera, Civil Defence volunteers were quickly able to locate the missing persons, and guiding search personnel to the exact location allowing for the safe and effective rescues.

New European legislation covering the use of drones was introduced in 2019, with the onset of the current pandemic, the implementation date of this legislation is December 2022, with work going on within Clare County Council and Clare Civil Defence towards the successful implementation of same.

Funding for Civil Defence equipment is generally provided by the Civil Defence Branch of the Department of Defence, with successful funding applications in recent years enabling Clare Civil Defence to procure specialist equipment for the Unit including:

- Operational Support Vehicles
- Rescue Watercraft

- 3 no. Ford Ranger Jeeps
- Drone (currently in use)

It is intended that Clare County Council through Clare Civil Defence will make a business case to the Civil Defence Branch of the Department of Defence in early 2022 for the purchase of an enhanced all-weather drone with extra batteries and other ancillaries with an estimated price of approximately €30,000, which would greatly enhance the operational use of the Civil Defence Search & Rescue capabilities.”

The elected members agreed that this is a priceless piece of equipment as anything that assists in search and rescue operations is worth the investment. It was also agreed that the Fire & Rescue Service and the Clare Civil Defence personnel can work to optimum if they have the proper equipment.

Item 14. Register defibrillators.

Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. M. Howard agus glacadh leis

“I call on Clare County Council to register any defibrillators in council facilities or other public AEDs that they would have an involvement with, with the PulsePoint AED defibrillator location App for Ireland and encourage all community groups, businesses, schools and others who may have them to register them with Pulsepoint AED.

PulsePoint allows you to find your nearest defibrillator at the touch of a button and has streamlined the process for Councils making it easier to submit your AEDs.

It is a multi award winning App and has also received a Garda community safety award.

This App that is so simple to use could help to save lives.”

Adrian Kelly, Chief Fire Officer replied as follows:

“PulsePoint AED Location App is one of a number of similar initiatives around the country that register the location of public defibrillators within the community.

The National Ambulance Service is the statutory pre-hospital emergency and intermediate care provider for the state. It is important that all publicly accessible defibrillators (AEDs) are registered with the National Ambulance Service. This awareness of the location of AEDs enables the National Ambulance Service to send a caller to the nearest AED in the event that it is required in advance of the ambulance attending the scene.

The Fire Service and Civil Defence with the Rural and Community Development Department will research initiatives currently in place in the local authority sector, and present appropriate and tested options with the objective of ensuring that every publicly accessible defibrillator in the county is registered with the National Ambulance Service.”

The elected members agreed on the importance of registering the locations of defibrillators within communities. The members felt that engagement with residential associations is necessary as it is important that defibrillators are available in housing

estates, sports centres and community centres. It was suggested that the Eircode for the location of defibrillators be registered in order to provide easier access if required. It was also suggested that the option of providing a support paramedic unit to the fire service should be explored.

Adrian Kelly, Chief Fire Officer addressed the meeting and outlined the process involved in registering defibrillators. Mr. Kelly referred to initiatives in other counties whereby in conjunction with the J.P.C. more agencies are involved in co-ordinating the locations of defibrillators and the locations are advertised. Mr. Kelly undertook to work with the Fire Service, the Civil Defence service and Rural Development to progress this initiative.

Item 15. Illegal dumping.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. A. Norton agus glacadh leis

“I am calling on the environment section of Clare County Council to increase their efforts to identify people who are engaging in the destruction of our public areas due to dumping of waste material. I would also request the council to deploy surveillance equipment in a number of areas to curb this activity. It has been reported that some local authorities are having success with this approach.”

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

“Clare County Council’s Environment Enforcement Section recently carried out a series of checkpoints with An Garda Síochána in the Shannon area in order to target the illegal transport and disposal of waste materials. The checkpoints are conducted outside of normal business hours and across a number of locations. This co-operation with An Garda Síochána is part of an ongoing effort to curb this illegal activity across the county. Our community wardens are flexible in their response and work outside of normal business hours when required. We also work closely with Limerick City and County Council Environment Section to help identify illegal waste operators.

The Council continue to invest significant resources in the Environment Enforcement section and work with communities and the Municipal Districts throughout the county to eliminate this illegal activity. We are also implementing the Waste Management Bye Laws to identify households which do not have a waste collection service and thereby ensure that their waste is disposed of correctly.

Our Enforcement team have an active presence throughout the county and our community wardens routinely carry out patrols to monitor and deter any illegal activity. Our wardens also investigate all illegally dumped waste and we prosecute offenders where we obtain sufficient evidence. The illegal disposal of waste under The Waste Management Act is a serious offence. Penalties for serious dumping offences provided for under the Waste Management Acts are substantial. Persons who are found to be responsible for, or involved in, the unauthorised disposal of waste are liable to a maximum fine of €5,000 on summary conviction and/or imprisonment for up to 12 months, and to a maximum fine of €15 million on conviction on indictment and/or imprisonment for up to 10 years.

Clare County Council, working with the other local authorities in the region, have a co-ordinated approach to tackling this problem and have utilised a variety of measures to raise awareness on the issue. We actively promote the Green School programme in partnership with An Taisce which imparts valuable information to children regarding recycling and the correct disposal of waste materials. The lessons learned at this early age help children to not only educate their parents but also instils values in children which they bring to adulthood.

Through our social media campaigns, we continually remind the public of their duties to correctly dispose of their waste. We also promote and support voluntary groups during the National Spring Clean activities which include community litter picks.

It is important to also acknowledge the general public who continue to recycle and dispose of their waste correctly either through an authorised collection service, bring banks or amenity sites. In fact, many items that are illegally dumped, could be recycled for a small nominal fee and certain items such as electric goods and textiles are actually free to recycle at our sites.

The use of CCTV for monitoring and investigating Illegal dumping is one that requires careful consideration as it impacts on the General Data Protection Regulations (GDPR). The Data Protection Commissioner concluded that neither the Litter Pollution Act 1997, the Waste Management Act 1996 nor the Local Government Act 2001 are sufficient to meet the requirements of the law enforcement directive provisions in Part 5 of the 2018 Act regarding the deployment of CCTV cameras for law enforcement purposes. However, the Circular Economy Bill currently working its way through the Oireachtas aims to provide for the GDPR-compliant use of a range of technologies such as CCTV for waste enforcement purposes. When this legislation is enacted the use of such technology will support efforts to tackle illegal dumping and littering across county Clare.”

The elected members agreed that some people destroy the county by carrying out illegal dumping and this has cost implications for Clare County Council in cleanup operations. The members noted that other local authorities benefit from CCTV surveillance in tackling illegal dumping in their areas. The members agreed that the problem of illegal waste collectors also needs to be addressed and that offenders should be named and shamed. The members acknowledged the work being carried out by the Councils Environmental Wardens and noted that details of registered waste collectors are available on Clare County Councils website. It was agreed that this notice of motion be forwarded to the Department of Environment, Climate and Communication.

Item 16. Pyrite redress scheme.

Ar moladh Cllr. J. Cooney

“That Clare County Council provide an update on the application regarding the Counties Pyrite Redress Scheme.”

Anne Haugh, Director of Social Development replied as follows:

“Clare County Council Housing Department has been engaged extensively with the Clare Pyrite Action Group since September 2020 when assistance was sought by the group to have the Defective Concrete Blocks Scheme extended to affected property owners in Clare.

As members are aware the Defective Concrete Blocks Scheme is a national scheme which opened for applications in Mayo and Donegal in June 2020 to financially assist homeowners to remediate their dwellings which were damaged by the use in construction of defective concrete blocks containing excessive amounts of pyrite or mica.

Formal correspondence issued from the Council to the Secretary General of the Department of Housing, Local Government and Heritage on 8th October 2020 including details of a survey of potentially affected homes carried out by the Action Group and a request was made to have the scheme extended to Clare.

A response was received from the DHLGH on 23/11/2020 and the Housing Department immediately issued an invite to representatives from the Action Group to discuss the detail of the response at a meeting which took place on 27/11/2020. The correspondence from the Department confirmed that while there were no plans at the time of writing to extend the scheme to any other local authority areas, any such extension proposed would require the same rigorous analysis as that put in place prior to its rollout in Donegal and Mayo and in that regard that the Council should lead in establishing an evidential basis for consideration of extension of the scheme to Clare. In further discussions with the Department it was agreed that this evidence would be best demonstrated through sampling and testing of five affected properties in accordance with the IS 465 standard and if possible reflect a spread across the county.

At a further meeting on 27th January the Action Group were invited to select the five properties for testing and details of a Survey Grant to be provided by the Council towards the cost of the testing were conveyed. The terms of the grant provided for the selection and appointment of the certified engineer by the homeowners from the register of engineers certified to IS 465 standard. All five property owners selected the same engineer and notified the council accordingly in early February 2021.

A submission was forwarded to the Department of Housing, Local Government and Heritage by the Council on 23/7/2021 which included the following:

- Detailed reports including actual test results for each of the 5no. selected properties as prepared by the consulting engineer.
- A summary report on the findings by the consulting engineer.
- A map indicating the location of both confirmed and potential cases that were notified at the time of the submission.
- A request to review elements of the current scheme (limit of remediation costs at 90% plus other unfunded costs such as alternative accommodation, demolition and planning)
- A request for extension to Clare of the Local Property Tax exemption for affected properties, which had been introduced in Mayo and Donegal.

The submission was acknowledged by the Department of Housing, Local Government and Heritage on 3/8/2021. On 27th August 2021, the Minister for Housing Darragh O’Brien visited Clare and met with the Clare Pyrite Action Group. He also visited one

of the affected homes to see the damage first hand and advised that a response to the Clare submission would issue in a number of weeks.

At an online meeting with officials from the Department of Housing, Local Government and Heritage on 9th November the detail of the Clare submission was discussed and some concerns were expressed by the Department officials that the findings did not adequately demonstrate the link between the presence of pyrite in the blocks and the physical damage/cracking to the properties. The exact specifics of these concerns was subsequently requested in writing by the Council and on 6th December a detailed correspondence issued from the Department of Housing, Local Government and Heritage.

The Council has now re-engaged with the consultant engineer with a view to formulating a detailed response to the correspondence and to address the issues raised by the Dep. A timeline for response is currently awaited and this will be conveyed to the members and the Clare Pyrite Action Group as soon as it is ascertained.”

Cllr. J. Cooney acknowledged the reply received and expressed disappointment that concerns were expressed by Department Officials during an online meeting on 9th November and that the specifics of these concerns were subsequently requested in writing by the Council in correspondence from the Department on 6th December. Cllr. Cooney also expressed disappointment that the Consulting Engineers report was not taken on board by the Department. Cllr. Cooney informed the meeting that he is aware of the concerns of the residents and expressed hope that the information will issue to the Department and that the submission will progress in a timely fashion.

P. Dowling, Chief Executive addressed the meeting and noted the concerns expressed by Cllr. J. Cooney. Mr. Dowling stated that Clare County Council did receive correspondence from the Department setting out queries. Mr. Dowling informed the members that a meeting had taken place with the Consulting Engineers and that a response will issue to the Department before Christmas. Mr. Dowling stated that it is very important that Clare home owners be included in any future scheme.

Item 17. County Development Plan consultation process.

Ar moladh Cllr. J. Killeen

Cuidithe ag Cllrs. S. Talty agus J. Garrihy agus glacadh leis

“We call on Clare County Council to outline the arrangements in place including locations and times of business for the public consultation sessions on the County Development Plan.

We call for more clarity with regard to the vacant site levy to give confidence to relevant landowners.

We call on media outlets to make people aware of the consultation process.”

Liam Conneally, Director of Economic Development replied as follows:

“The Draft Clare County Development Plan 2023-2029 was placed on public display on the 10th December 2021. This was the start of a 15-week period within which the public and interested stakeholders can make submissions on the draft plan. A copy of the Draft Clare County Development Plan 2023-2029 with associated Environmental

Report and Natura Impact Report will be on public display from the **10th December, 2021 to 28th March 2022** and will be available to view online and at the following locations:

- Áras Contae an Chláir, New Road, Ennis.
- Shannon Municipal District Office, Town Hall, Shannon.
- West Clare Municipal District Office, Town Hall, The Square, Kilrush.
- Ennistymon Area Office, Ennis Road, Ennistymon.
- Killaloe Municipal District Office, Mountshannon Road, Scarriff and
- At all public libraries in County Clare during opening hours.

Public consultation events on the Draft Clare County Development Plan 2023-2029 will take place throughout the County as follows, subject to Covid-19 guidance in place at the time:

VENUE	DATE	TIME
Lisdoonvarna Pavillion, Lisdoonvarna	Tuesday 25 th January 2022	4:00-8:00pm
Scouts Hall (beside Ennis Parish Office), Station Road, Ennis	Wednesday 26 th January 2022	4:00-8:00pm
Clonlara Community Sports & Leisure Centre, Clonlara	Thursday 27 th January 2022	4:00-8:00pm
Kilkee Community Hall, Kilkee	Tuesday 1 st February 2022	4:00-8:00pm
Killaloe Hotel & Spa, Killaloe	Wednesday 2 nd February 2022	4:00-8:00pm
Clarecastle Community Hall, Clarecastle	Thursday 3 rd February 2022	4:00-8:00pm
Kilmihil Community Hall, Kilmihil	Tuesday 8 th February 2022	4:00-8:00pm
Tulla Cultural Centre, Tulla	Wednesday 9 th February 2022	4:00-8:00pm
Newmarket on Fergus Community Hall, Newmarket on Fergus	Thursday 10 th February 2022	4:00-8:00pm

In addition to the above listed community events it is also planned to hold targeted stakeholder engagement during this public consultation stage.

I would also like to support the Members' call to the media to assist in making people aware of these consultation events and to encourage the public and interested parties to make submissions or observations on the Draft Clare County Development Plan 2023–2029. Submissions/observations may be made up until **4:00 pm on 28th of March 2022**. Submissions/observations can be submitted by one of the following methods:

- **Online:** <https://clarecdp2023-2029.clarecoco.ie/make-a-submission/>
- **In writing to:** Draft Clare County Development Plan 2023-2029, Planning Department, Clare County Council, New Road, Ennis, Co Clare. V95 DXP2

- **By email to:** devplan@clarecoco.ie . Subject headline should read “Submission to Draft Clare County Development Plan 2023-2029”

In regard to the request of the elected members for clarification relating to the “vacant site levy” I am taking it that this relates to the future Zoned Land Tax announced in the 2022 Budget last October. The measure is aimed at boosting the supply of housing and will be in place from 2023. I have sought clarification from the Department on how this impacts the future of the Vacant Site Levy in the current legislation. The detail of the residential land zoning tax is not yet known though I understand that it will be an annual tax based on a percentage of the market value of land and that Revenue will collect the tax.

I anticipate greater clarity around how this tax will be implemented will be set out in the upcoming Finance Act and secondary legislation expected to be signed into law by year end. I attach for your attention the Finance Bill as it went before Dáil Éireann on 2nd December last and is currently before Seanad Éireann, Second Stage. The full details of this Bill are available for your viewing on line at the following link:

<https://www.oireachtas.ie/en/bills/bill/2021/132/>

Pending receipt of the final legislation to provide for this zoned land tax I will brief the elected members at the earliest opportunity. “

The elected members agreed that it is important that members of the public are aware of the public consultation opportunities available in relation to the County Development Plan. The members agreed that it is imperative that people engage in the process by studying the plan and looking at how it will influence their areas, particularly people who own zoned land or prospective land owners and make submissions accordingly. The members called on media outlets to raise awareness as there is an onus on everybody to contribute to the plan in order to achieve the best outcome possible. It was suggested that updates be included in parish newsletters.

L. Conneally, Director of Economic Development stated that any publicity regarding engaging citizens of Clare and the wider public would be welcome. Replying to concerns raised in relation to Sixmilebridge, Mr. Conneally stated that there is no specific session with the public in Sixmilebridge but the documentation is available in Sixmilebridge library, Shannon and online.

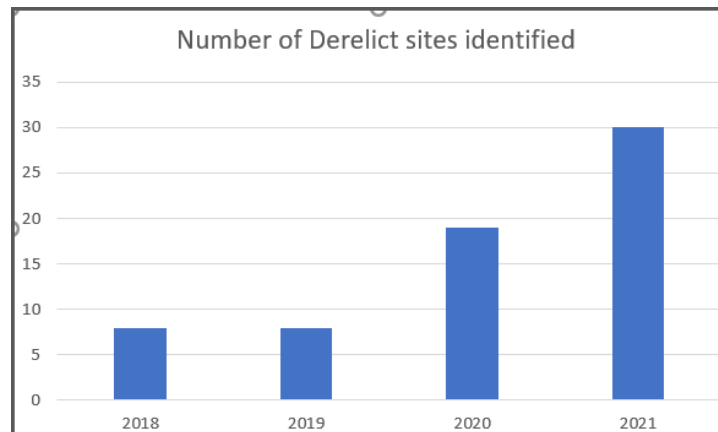
Item 18. Derelict sites register.

Ar moladh Cllr. P. Murphy

"I am requesting all details relevant to Clare County Council's Derelict sites register, i.e. a listing of the number of properties in each Municipal District that are currently on the register, those that have been pursued for levies and how much money has been recouped to date?"

Carmel Greene, Senior Executive Officer, Economic Development replied as follows:

“Since the Derelict sites function transferred to the Economic Development directorate in 2020, the level of activity has increased greatly with many more sites being assessed, as shown on the table below. Currently, we are working on 165 active files, which are at various stages of the processes under the Derelict sites Act, 1990.



Derelict sites that we are dealing with are at various stages from inspection, establishment of owners, discussions with owners, dealing with financial institutions regarding debt, sales being organised or proposals being developed for planning applications. Our priority is to try to work with owners and where there is no engagement, the statutory processes will be followed. While we are dealing with 165 active files, as of today, there are 35 of these on the Derelict Sites Register (Ennis – 10, Killaloe – 2, Shannon- 3, West Clare – 20). There are many notices of entry onto the register recently served and submissions are awaited.

I am in the process of commencing the Compulsory Acquisition process on two sites and we have one in the midst of Arbitration process, which dates back to 2014.

Proposals are also being developed for the imposition of the Derelict sites levy on sites on the Derelict Sites Register and this will be brought forward for decision in January 2022.

I am also engaging with the Department to see if a review of the legislation should be carried out as it is now over 30 years also.”

Cllr. P. Murphy welcomed the level of activity in relation to derelict sites and acknowledged that it is a complex issue and costly process. Cllr. Murphy welcomed the imposition of the derelict sites levy and felt that some derelict sites around the county should be addressed.

Item 19. Brothers of Charity.

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

“Changing Places facilities is a highly important part of the life of someone with a disability, Members of the Brothers of Charity have been working on a project during covid to make people aware of the difficulties around toileting and making life easier for themselves and their carers or family members. They would like the opportunity to address the councillors and staff of Clare County Council to showcase their documentary and the opportunity to speak about the need for these facilities.”

Cllr. A. Norton informed the members that this is an opportunity for members of the Brothers of Charity to make a presentation to the elected members outlining what young adults with intellectual disabilities have achieved and to outline and provide an understanding of the difficulties they face on a daily basis. This proposal received unanimous support from the members present.

Item 20. An Bord Pleanala staffing.

Ar moladh Cllr. P. Daly
Cuidithe ag Cllrs. J. Crowe agus M. Nestor agus glacadh leis

“We request Clare County Council to call on the Government to make additional staff available to An Bord Pleanala, to enable them to make timely decisions, so that planning appeals can be expedited in the normal four months.”

Liam Conneally, Director of Economic Development replied as follows:

“Notwithstanding that I share the frustration of the members regarding the length of time it is taking An Board Pleanala to make decisions on significant planning applications across the county and notwithstanding that I support the sentiment of the members’ request to call on the government to sufficiently resource the Board, I am however, suggesting that the members would first call on the Government to make additional staff available to the Planning Departments within Local Authorities. In the case of the Planning Authority of Clare County Council it is anticipated that at year end 2021 across all our planning functions there will be a 30-40% increase on planning application numbers from what was received in previous years. This increase in workload has not seen a corresponding increase in staff numbers being sanctioned by the Department.

Separately, I am aware that the Joint Oireachtas Committee on Housing, Local Government and Heritage is currently looking at resource levels within Planning Authorities (including Clare County Council) especially in the context of the new Large-scale Residential Developments Bill and the forthcoming Marine Area Planning Bill. The LRD legislation will restore decision making on large scale residential planning decisions to Local Authorities in the first instance, replacing the current Strategic Housing Development process for developments of 100+ units. The LRD Bill is currently going through the Dail.

In addition to the above increased work load the effect of this new legislation will result in a significant additional workload for what are already burdened planning departments across the country as staff work to meet the statutory timelines being set down.”

The elected members outlined details of the frustration being experienced by applicants as An Bord Pleanála inspectors are taking more than twelve months to make decisions on some planning appeals. The members agreed that additional staff should be made available to the Planning Section of Clare County Council to deal with the anticipated increase on planning applications being dealt with. It was also felt that the pre-planning facility should be strengthened in order to facilitate the pre-planning service available.

Item 21. Property letting.

Ar moladh Cllr. C. Murphy

Cuidithe ag Cllrs. T. O'Brien, A. O'Callaghan agus P. Hayes agus glacadh leis

“In light of the recent record lack of rental accommodation available nationally to ask the Minister for Finance to look at a tax policy solution that will encourage behavioural change in property owners to switch from short term lets to long term rental”.

Details of properties currently available to rent in County Clare were provided by Cllr. C. Murphy. The members expressed concern in relation to the shortage of rental properties available in the county and how this is affecting ordinary people who wish to remain in local communities. The lack of support available for low and middle earners was also discussed. The elected members agreed that incentives should be available to encourage long-term letting.

Item 22. Limerick Hospital Group recruitment.

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllrs. M. Howard agus P.J. Kelly agus glacadh leis

“Clare County Council request the Minister for Health to personally intervene with regard the Limerick Hospital Group to address the lack of progress in the recruitment of the three dietitians' posts, the four diabetes specialist nursing posts, and the additional two consultant endocrinologist posts, some of which were approved as far back as January 2021.

The result of lack of specialist clinical staff means that the Limerick hospitals group is not likely to be included in the current national expansion of DAFNE- Dose Adjustment for Normal Eating (Structured Type 1 Diabetes Education for Adults).

Another result of this slow recruitment is that Limerick is also left behind in the provision of insulin pumps. This is concerning because there are **currently 51 adults using pumps and only one or two members of staff who are qualified to support** them.

There are **663 people with diabetes, from Clare and Limerick, waiting** on a first appointment to the outpatient diabetes clinic in University Hospital Limerick with **half (336 people) waiting two to six years**. This delay in treatment is a serious concern as it puts these people at a higher risk of developing life-altering and costly

complications such as blindness, amputation, kidney disease, heart attacks, and strokes.”

The members present discussed the impact of the delayed recruitment process and the subsequent consequences for people affected by these delays. Cllr. C. Murphy undertook to revert to the members when he receives a response from the Regional Health Forum West in relation to this.

Item 23. Mica and Pyrite inferior blocks.

Ar moladh Cllr. M. Howard
Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“Clare County Council asks Mr. Darragh O'Brien TD, Minister for Housing, Local Government & Heritage to initiate an investigation into how inferior blocks containing Mica and Pyrite were used to construct homes.”

During discussion, the elected members agreed that this issue needs to be given consideration and dealt with at national level. The members felt that it is imperative that there is responsibility on the manufacturers and that they are held accountable. The members agreed that the people affected need to stand together in order to find a resolution and support.

P. Dowling, Chief Executive advised that a meeting has been held with the Consulting Engineer and that a response will issue to the Department before Christmas.

Item 24. Ash dieback disease.

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

“That Clare County Council call on the Minister of State for Forestry, Senator Pippa Hackett to address the concerns of farmers and landowners whose Ash Tree plantations have suffered from ‘Ash Dieback Disease’.”

The elected members expressed disappointment that so many mature ash trees are being decimated due to the ash dieback disease. The members felt that the forest service have abandoned landowners who gave up agricultural land for forestry and who are now in financial crisis as there are no trees to harvest. The members agreed that the concerns of farmers need to be acknowledged and addressed and that a compensation and regenerative package should be put in place.

Item 25. Comhfhreagras/Correspondence.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 15th November, 2021 from the Department of Health in relation to Dental Treatment Services Scheme.
2. Resolution circulated by Sligo County Council in relation to the establishment of safe refuge centres for victims and survivors of domestic violence.

Conferences.

Reports on Seminars/Conferences attended.

With regard to seminars/conferences attended, reports completed in accordance with Section 142 of the Local Government Act 2001 were made available at the meeting.

AILG elected members training Programme Module 1 - "Government Decision on the Reform on Remuneration Payable to Local Authority Elected Members and Update on Planning and Development Bill" taking place in Tralee, Co. Kerry on the 16th September, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €245.36 including conference fee of €65. It was agreed that Cllrs. M. Begley and J. Killeen attend this Conference.

AILG elected members training Programme Module 1 - "Government Decision on the Reform on Remuneration Payable to Local Authority Elected Members and Update on Planning and Development Bill" taking place in the Tower Hotel & Leisure Centre, Waterford on 18th September, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €345.29 including conference fee of €65.

It was agreed that Cllr. J. Crowe attend this Conference.

AILG Training Programme Module 1 entitled "Government Decision on the Reform on Remuneration Payable to Local Authority Elected Members and Update on Planning and Development Bill 2021 and other Planning Related Matters" being held in the Sligo Park Hotel, Pearse Road, Sligo on 2nd October, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €304.48.

It was agreed that Cllrs. P.J. Ryan and M. Howard attend this Conference.

Conference entitled "Mental Health & Wellbeing" taking place in O'Donovan's Hotel, Clonakilty, Co. Cork on 8th – 10th October, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €450.77 including conference fee of €100.

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

LAMA Autumn Training Seminar taking place on 3rd and 4th November, 2021 at Sligo Park Hotel.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €400 including conference fee of €150.

It was agreed that Cllrs. M. Howard, P. McMahon, M. Begley, P.J. Ryan, J. Crowe and P. Burke attend this Conference.

AILG Training Programme Module 2 entitled “Elected members mental health and wellbeing” being held in the Avalon House Hotel, Castlecomer, Co. Kilkenny on 10th November, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €287.50 including conference fee of €65

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

Irish Planning Institute Annual Conference 2021 entitled “Delivering Plan led Development” taking place in Clayton Whites Hotel, Wexford on 17th – 19th November, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €549.50 including conference fee of €60.

It was agreed that Cllrs. P. Daly and G. Keating attend this Conference.

Conference entitled “Mental Health & Wellbeing” taking place in Carlingford, Co. Louth on 3rd – 5th December, 2021.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €65 including conference fee of €100.

It was agreed that Cllr. P. Burke attend this Conference.

P. Dowling, Chief Executive commended the Fire & Rescue Service, Civil Defence, outdoor crews and all who worked to keep everybody safe during Storm Barra.

Mr. Dowling stated that people are facing another Christmas dealing with the Covid-19 pandemic and thanked all the elected members for their support and kindness shown to staff during the year. Mr. Dowling encouraged all to continue the co-operation and wished all the members and their families a happy Christmas.

Cathaoirleach, Cllr. P.J. Ryan thanked his colleagues for their ongoing co-operation and wished Management, staff and members a happy and holy Christmas and a bright, healthy and prosperous New Year.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____