

**Minutes of the March Monthly Meeting of Clare County Council held
via MS Teams on Monday, 8th March, 2021 at 3:45 p.m.**

Present via MS Teams:

Present:

Councillors 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, 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. Cyril Feeney, Senior Engineer, Physical Development.
- Mr. Seán Lenihan, Senior Engineer, Physical Development.
- Mr. John Leahy, Senior Engineer, Physical Development.
- Ms. Siobhán McNulty, Senior Executive Officer, Social Development.

Apologies:

Cllrs. J. Flynn, C. Collieran Molloy, T. O’Brien and D. McGettigan.

The Cathaoirleach, Cllr. Mary Howard presided and welcomed everybody to the meeting on “International Womens Day”.

Votes of Sympathy.

At the outset Cllr. G. Flynn extended a vote of sympathy to Cllr. Donna McGettigan on the recent passing of her husband Noel Phelan R.I.P. and proposed that the meeting be adjourned for 15 minutes as a mark of respect. This was seconded by Cllr. M. Howard and agreed by the members present.

A vote of sympathy was also extended to the following:

- The Byrne family, Ennis on the death of John Byrne
- The Shanagher family, Newmarket on Fergus on the death of Michael Shanagher
- The Carmody family, Lissycasey on the death of Paddy Carmody

The meeting then adjourned for 15 minutes and resumed at 4:05 p.m.

Item 1: Minutes of Council Meetings.

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

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

Item 2: Matters Arising.

Cllr. P. Hayes raised the matter of the single water utility Irish Water and referred to recent document released by the Department. Cllr. Hayes stated that staff should be protected on the Service Level Agreement with Irish Water and requested that the Chief Executive keep this matter on the agenda with CCMA and the Department.

P. Dowling, Chief Executive addressed the meeting and stated that the Government’s Policy Paper on Water Sector Transformation has been produced and signed off by the Department of Housing, Local Government and Heritage. Mr. Dowling stated that the protection and support of the interests of local authority staff will continue to be a key priority and that this issue is receiving serious consideration at CCMA level.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. A. Norton
Cuidithe ag Cllr. P. Daly agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 19th January, 2021 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 2nd February, 2021 be noted.”

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

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

“That the minutes of the Physical Development S.P.C. meeting held on 21st October, 2020 be noted”.

b. Ar moladh Cllr. P. Hayes
Cuidithe ag Cllr. J. Killeen agus glacadh leis

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

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 1st February, 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. G. Flynn referred to Shannon Town and Environs Flood Relief Scheme and requested clarification in relation to the CCTV Survey and Flow Monitoring tender competition.

Cllr. P. Hayes welcomed the ongoing work being carried out by the Tourism Department in relation to plans for Holy Island and proposed works on the Rectory Building in Mountshannon.

Cllr. J. Garrihy acknowledged the response of the elected members to provide funding towards Food and Fuel Poverty, which was co-ordinated by the Rural Development Directorate during the current Covid 19 pandemic. Cllr. Garrihy also recognised the work undertaken by the Rural Development Officers in relation to the Sports Capital Programme and welcomed progress on Dooon Pier Visitors Services Building. Cllr. J. Garrihy expressed disappointment that Irish Water has notified An Bord Pleanála that it has withdrawn the Compulsory Purchases Order for lands for a proposed waste water treatment plant, pumping station and rising main in Ballyvaughan.

Cllr. M. Begley requested a completion date for the controlled pedestrian crossing point at Clonlara National School. Cllr. Begley expressed concern in relation to leaks in watermain on the R463 and asked when Irish Water propose to replace that water main. Cllr. Begley thanked the staff in Shannon Municipal District for carrying out preparations in Springfield, Clonlara so as to ensure a state of readiness in the event of flooding.

Cllr. S. Talty welcomed the proposed construction of 30 houses in Ennistymon under the housing capital programme. Cllr. Talty also acknowledged the emergency repair works completed on Monanagh Bridge.

Cllr. G. Keating advised the members that Seachtain na Gaeilge is currently underway and welcomed plans to host a virtual event to celebrate St. Patrick’s Day this year.

C. Kirby, Director of Physical Development responded to query raised by Cllr. G. Flynn and stated that three tender submissions have been received namely Geophysical, CCTV and Topographical in order to progress the Shannon Town and Environs Flood Relief Scheme, and an updated report will be circulated.

Ms. Kirby undertook to revert to Cllr. M. Begley in relation to query raised.

Item 7: Draft Anti- Social Behaviour Strategy 2020 – 2026.

Report dated 1st March, 2021 from John Corry, Administrative Officer, Social Development was circulated with the agenda together with Draft Anti-Social Behaviour Strategy 2020 – 2026. The report states that Clare County Council manages in excess of 3,000 tenancies, this includes Local Authority properties, leased properties and RAS tenancies. The vast majority of these properties are occupied by law abiding tenants and their families, and it is accepted that only small numbers of persons are involved in anti-social behaviour. The Council also recognises that it has a responsibility to all its tenants to promote the peaceful occupation and enjoyment of our dwellings.

The report states that this Strategy will apply to areas where the Council has Tenancy Dwellings and Chapter 4 Tenancy Dwellings (RAS & Social Leasing). The enactment of the Housing (Miscellaneous Provisions) Act, 2009 provided the legislative framework and guidelines for all local authorities to adopt, by reserved function, an anti-social behaviour strategy for the prevention and reduction of anti-social behaviour. The first such strategy was adopted by Clare County Council in 2010. This strategy has now been reviewed to incorporate the necessary amendment to bring the policy into line with the legislative requirements in the Housing (Miscellaneous Provisions) Act 2014.

In accordance with Section 35 of the Housing (Miscellaneous Provisions) Act 2009 this strategy has been subject to consultation with the HSE, TUSLA and An Garda Síochána. In addition, this strategy was noted at a meeting of the Councils Housing Strategic Policy Committee (SPC) and the Councils Joint Policing Committee meeting. This policy interfaces with the Clare County Council Social Housing Allocations Scheme, Traveller Accommodation Programme, Clare Homelessness Action Plan and will interface with any subsequent revisions/amendments.

The report concludes that the approval of the Members is now sought for the adoption of the Strategy.

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllr. P. Hayes agus glacadh leis

“That pursuant to Section 35 of the Housing (Miscellaneous Provisions) Act, 2009, Clare County Council adopt the Anti-Social Behaviour Strategy 2020-2026 as outlined in the Draft document circulated with the agenda for the March 2021 meeting of the Council.”

P. Dowling, Chief Executive addressed the meeting and stated that the new Tenancy Enforcement Unit has been set up and that a training and familiarisation programme is currently underway. Mr. Dowling informed the members that the Tenancy Enforcement Officers will meet the members at Municipal District meetings in the coming months to discuss tenancy enforcement and expressed optimism in relation to significant improvement in elements of the social housing programme going forward.

Item 8: Draft Social Housing Allocation Scheme 2021.

Report dated 1st March, 2021 from John Corry, Administrative Officer, Social Development was circulated with the agenda together with the Draft Social Housing

Allocation Scheme. The report states that in accordance with Section 22 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Allocation Regulations 2011 (S.I. No. 198 of 2011) as amended by the Social Housing Allocation (Amended) Regulations 2016 (S.I. No 503 of 2016), Clare County Council have prepared a Social Housing Allocation Scheme which sets out the priorities and procedures for allocating dwellings for Social Housing.

This Scheme applies to the allocation of the following dwellings only:

1. dwellings provided under the Housing Acts/Regulations or Part V of the Planning and Development Act 2000 that are owned by the Council,
2. dwellings that are not owned by the Council but which are held by the Council under a contract or lease between the Council and the owner concerned, including rental accommodation availability agreements, and
3. dwellings owned and provided by Approved Bodies to whom assistance is given under section 6 of the Act of 1992 for the purposes of such provision.

The Scheme recognises the need to achieve sustainable communities in allocating dwellings while balancing the needs and preferences of applicants.

The report concludes that the approval of the members is now sought for the adoption of the Scheme.

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“That pursuant to Section 22 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Allocation Regulations 2011 (S.I. No. 198 of 2011) as amended by the Social Housing Allocation (Amended) Regulations 2016 (S.I. No 503 of 2016) Clare County Council adopt the Draft Social Housing Allocation Scheme 2021 as circulated with the agenda for the March 2021 meeting of the Council.”

Item 9: Consideration of the Chief Executive’s Report on the Pre-draft public consultation process for the Clare County Development Plan 2022-2028.

Cathaoirleach, Cllr. M. Howard informed the members that on the 15th January, 2021, the elected members received the Chief Executive’s Report on the Pre-draft consultation submissions on the Clare County Development Plan 2022-2028 and have considered this report. Cllr. Howard then asked that the members issue any directions for the Chief Executive regarding the preparation of the new Draft Clare County Development Plan 2022-2028 by no later than the 25th March, 2021.

Item10. Provision of salt bins in housing estates.

Ar moladh Cllr. M. Nestor

Cuidithe ag Cllr. P. Murphy agus glacadh leis

“This motion is requesting Clare County Council to review the possibility of introducing a subsidised scheme, similar to other local authorities, that would allow for the provision of salt bins in housing estates throughout the county.” (M)

John Leahy, Senior Engineer, Transportation Directorate replied as follows:

“A winter maintenance review will be carried out during the summer of 2021. Elected members will be given the opportunity to raise any issues before the review and this matter can be considered as part of this review. Another means of getting additional salting completed locally, especially in problem areas, is to give additional capacity to the Municipal Districts for winter maintenance. This will require a small capital investment in each Municipal District but would be very beneficial locally and would be a preferable way of managing the salt stock locally. The scheme highlighted will be examined in more detail and its feasibility will be assessed.”

The elected members agreed that this is a rural issue as well as an urban issue and stated that people are willing to grit footpaths and roads themselves if salt bins were provided to communities groups and national schools. It was also recommended that any salt bins provided should be stored in Council compound at the end of the winter season.

Item 11. Planning and sustainable development.

Ar moladh Cllr. P.J. Kelly

Cuidithe ag Cllrs. S. Crawford, J. Flynn agus J. Killeen agus glacadh leis

“That a comprehensive, comprehensible and definitive explanation be given of the meaning of proper planning and sustainable development.” (M)

Liam Conneally, Director of Economic Development replied as follows:

“The Planning and Development Act 2000, as amended, states that it is “ *an Act to provide, in the interests of the common good, for proper planning and sustainable development*”. No legal definition is provided in the Act. The Government’s National Planning Framework expands on this further by stating that “*sustainability is at the heart of long-term planning and the National Planning Framework seeks to ensure that the decisions we take today, meet our own needs without compromising the ability of future generations to meet their needs*”. While aware of no explicit legal definition of the term ‘proper planning and sustainable development’, the foresight of the Elected Members recognised the value to the County in defining the term on page 20 of the Clare County Development Plan 2017-2023 as “*achieving the correct balance of economic, social, cultural and environmental considerations in the interests of the common good and securing long term benefits to County Clare.*”

I believe that the above definitions are comprehensive.”

The elected members stated that they were aware that the planning act does not define proper and sustainable planning and that it is different from county to county. It was also felt that planning policy lacks clarity, transparency and complete consistency and that the philosophy to keep Co. Clare alive must be addressed with real consistency. It was noted that in line with sustainable rural housing, people with housing need should be facilitated to live within their communities. The elected members stated that their role in the County Development Plan is to have ambition so that all communities are supported and sustained to succeed. The members agreed that a collective approach is required to devise a strategy which will drive and support sustainable development in areas that have suffered from decline.

L. Conneally, Director of Economic Development thanked the elected members for their contribution and stated that a collective approach is required so that Clare can have a bespoke solution to what Clare is about. Mr. Conneally stated that the National Planning Framework will be pressed in order to redefine what we mean as sustainable development in Clare.

P. Dowling, Chief Executive addressed the meeting and stated that the core objective is to defend Clare County Council and promote Clare bearing in mind the provisions contained in the National Planning Framework and the planning regulator. Mr. Dowling gave a full undertaking to approach this complex task in unison with the elected members to work for the good of County Clare.

Item 12. County Development Plan.

The Cathaoirleach advised that this item has been deferred to the April Council Meeting.

“The members of this council will refuse to ratify the county development plan should it adhere to the two tier approach to land zoning as contained within Appendix 3 of the National Planning Framework, given the negative impact it will have on the sustainable development of our rural and coastal settlements.”

Item 13. Public outdoor spaces.

Due to the absence of Cllr. C. Colleran Molloy, this notice of motion was proposed by Cllr. M. Howard, seconded by Cllr. P. Daly and agreed by the members present.

“As Level 5 Covid19 restrictions are likely to be eased as the Summer approaches, that Clare County Council clarify what the precise application procedure is for catering businesses (such as cafes, pubs and restaurants) to utilise public outdoor space (such as footpaths and parking spaces) to provide their customer service, and to further clarify, what if any charges will apply to these applications, and if charges are applicable, that they be waived.”

Liam Conneally, Director of Economic Development replied as follows:

“Section 254 of the Planning & Development Act, 2000, as amended, sets out the legislative process through which a licence can be permitted for items on public places, including for street furniture and advertisement structures. The Planning Department manages the street furniture licensing process and each application is assessed on its individual merits including grounds such as health and safety, vehicular and pedestrian safety, and visual amenity. In advance of the submission of a licence application, interested parties are advised to contact the Planning Department and the relevant Municipal District Engineer’s Office to obtain advice regarding acceptable locations for such furniture.

The application form for a street signage/furniture licence is available on the Council website www.clarecoco.ie. A licence is granted for a period of up to one year at a time and an application to renew the licence is required each year. The fees for these licences are set out in the Planning Regulations and can be significant e.g. a café with

4 tables (€500) and associated advertisement structures (€630) would result in a fee of €1,130.

In light of the potential benefits to the streetscape/urban experience of outdoor seating and to support the local economy, the Council have agreed to waive street furniture licence fees during 2020 and it is proposed to continue this initiative in 2021.

In considering such applications, the Municipal Districts may consider designating particular areas of a town or village where outdoor seating or 'spill out areas' may be of benefit and what hours they should operate. In this regard it will also be important that the footpaths and pedestrian areas be retained for the benefit of all users."

Item 14. Allocation of social housing.

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllrs. P. Murphy, T. O'Brien, A. Norton, P. Daly, J. Crowe, C. Colleran Molloy, J. Garrihy, M. Nestor agus I. Lynch agus glacadh leis

"We are calling on the Director of Social Development to put in place some method of consultation with elected members of Clare County Council in relation to the allocation of social housing support and tenancies across the four districts.

Elected members are aware of the current policy in regards to GDPR and the fact that national policy has removed their participation in the housing allocation process.

Councillors have a role in the creation of housing policy and from that point of view what is required is some oversight on the implementation of the social housing supports and allocation of tenancies, Also a recognition by housing officials that elected members have a mandate from their communities to be their representatives on issues concerning the public in Clare.

Councillors are very conscious of the needs in their communities and their local knowledge needs to be embraced by Clare County Council Officials."

Anne Haugh, Director of Social Development replied as follows:

"We welcome this timely motion and wish to advise that it is the intention of the Director in response to commence quarterly briefing sessions of the members by Municipal District. This briefing session will be a forum for engagement and information sharing between members of each Municipal District and the relevant officials of the housing department on a broad range of housing issues including casual vacancies and forthcoming lettings. The very fast pace of advancement of the housing agenda nationally including the imminent launch of a new multi-annual programme for Housing, a new Affordable Housing Scheme and the roll out of a deep retrofit energy programme justifies a regular and structured mechanism for communication with elected members on all housing developments within their respective Municipal Districts. The briefings will be aligned to Municipal District meetings on a quarterly basis with the initial briefings planned prior to the Municipal District meetings in May. Correspondence will issue to all members next month detailing the schedule of briefings for the year ahead and identifying the main agenda items for discussion."

The elected members welcomed the response and stated that Councillors are an integral part of local communities and have valuable local knowledge which would

provide the best possible outcome in meeting the needs in their communities. The elected members undertook to continue to engage in the process going forward.

Item 15. Councils Housing Programme.

Ar moladh Cllr. P. McMahon

“To ask the CEO to report on the Councils Housing Programme over the last year with particular reference to the impact of covid 19 on the building programme, the social housing bodies, and the house purchasing programme and to outline the Councils plans in the context of the Governments projected population increase of 1 million by 2040.”

Anne Haugh, Director of Physical Development replied as follows:

“Clare County Council delivered 145 units of social housing in 2020 through the capital delivery programme. This output was in line with the target set by the Department of Housing, Local Government and Heritage despite the impact of Covid restrictions on the construction programme.

Following closure of sites again in January 2021, the build programme continues to be impacted with the 94 units of accommodation planned for delivery by Q4 2021 no longer fully achievable within that timeframe. The restrictions are also impacting developments which are not at construction stage in that necessary site investigations cannot be undertaken at this time.

A number of projects received essential designation status as these projects could be completed by the 28th February for tranche 1 and the 5th April for tranche 2.

During 2020 the limiting factor for acquisitions was the very low number of permissible acquisitions with Clare County Council only receiving approval to purchase 31 units. As of today the targets for acquisitions in 2021 have not yet been set, however, it is anticipated that the deficit in delivery under new build as a result of the closure of sites will have to be met in some way by an increased acquisitions programme. Confirmation of this from the Department of Housing is currently awaited.

The Governments new multi-annual housing programme ‘Housing for All’ is due to be published in Q2 2021 and this document will set the new targets for delivery of social housing in Clare over the next five years. At a national level an additional 10,000 social housing units per year are required to be delivered over the duration of the programme. We are advised that a separate additional target will require to be met under the leasing and affordable housing delivery streams.

We are working closely with our Planning colleagues to ensure that the new County Development Plan will facilitate the delivery of both social and affordable housing in a planned way into the future taking account of projected population increases in the county.”

Cllr. P. McMahon expressed concern that construction of houses has ceased due to Covid 19 restrictions and the number of people on the housing lists is increasing. Cllr. McMahon felt that direction from the Department is necessary in relation to recommencing the construction sector.

Item 16. Facility management.

Ar moladh Cllr. J. Garrihy
Cuidithe ag Cllr. J. Killeen agus glacadh leis

“I call on Clare County Council to fully resource and put in place a robust plan for additional resources and facility management to ensure we can have a safe and enjoyable summer across the hot spots of our county when hopefully there will be a return to some level of normality and resulting influx of visitors.”

Leonard Cleary, Director of Rural Development replied as follows:

“Following the 2020 season a review was carried out by the West Clare Municipal District of our main visitor locations, including how they were resourced, traffic congestion issues and how the areas coped with the high level of visitors generally. Improvement works at our coastal facilities have been ongoing over the last number of years and the opening hours at our public conveniences have increased at the busiest locations. A cross directorate group has been formed to agree a future plan for these facilities and have met on a number of occasions. Dedicated crews are being identified and additional improvement works are planned for a number of locations throughout the county.

In addition the Municipal Districts are working with other Council Departments and community groups and as part of the review of the visitor locations, consideration is being given to how traffic and parking is being managed with a view to having a more sustainable model into the future. Some of these changes are dependent on financial and human resources available to Clare County Council. The teams in our Municipal Districts are working to ensure that the experience for all, including local communities in these areas, is positive and that all can safely enjoy the beautiful locations we have in our county.”

The elected members agreed that a cross directorate approach is required to plan for the potential influx of visitors to County Clare, as current indicators suggest that restrictions on international travel will remain for the 2021 tourist season.

Item 17. Active travel funding schemes.

Ar moladh Cllr. P. Murphy

"Has Clare County Council already applied for, or plan on applying for any of the multi disciplinary staff with Urban Design and Behavioural Change skills through the Active Travel funding schemes announced in recent months by the Departments of Transport, Environment, Climate and Communications?"

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

“We note the content of the motion. Clare County Council is committed to promoting and delivering active and sustainable travel and is making an application for funding under the Active Travel Scheme. However, the matter of staffing for local authorities requires the sanction of the Department of Housing, Local Government and Heritage

and all staff matters in Clare County Council must be consistent with our Workforce Plan.”

Cllr. P. Murphy welcomed recent funding announcements for Phase 1 of the River Fergus Walk and Cycle way and stated that enhanced infrastructure should be provided for walkers and cyclists in towns.

C. Kirby, Director of Physical Development stated that significant funding is being allocated for active travel initiatives and that all local authorities have submitted applications for projects. Ms. Kirby informed the meeting that resources will need sanction from the Department and stated that Clare County Council will avail of any resources and funding that becomes available.

It was agreed that Items No. 18 and 23 would be discussed together.

Item 18. Zoning lands in rural areas.

Ar moladh Cllr. J. Cooney

Cuidithe ag Cllr. M. Begley agus glacadh leis

“I call on Clare County Council to take a cautious approach to dezoning lands in rural areas without access to Wastewater Treatment Facilities. Instead I urge Clare County Council to request a shift in focus from the National Planning Framework towards alternative sustainable and innovative waste water treatment solutions, which can cater for moderate sized housing schemes with economic land-use. This approach will enable the sustained growth of rural areas and provide people with an alternative option other than moving to urban locations.”

Liam Conneally, Director of Economic Development replied as follows:

“As part of the preparation of the Clare County Development Plan 2022-2028 there is a requirement to review land-use zoning within settlements which must be undertaken in line with national policy as set out in the Government’s National Planning Framework. It is the intention of the Council in doing so that opportunities will be explored with Irish Water towards delivering appropriate wastewater treatment solutions to facilitate the future sustainable growth of rural towns and villages currently with no or inadequate wastewater treatment infrastructure. The growth and prosperity of our rural towns and villages which also serve their rural hinterlands is vital to sustain our local economy.”

Item 23. Waste water developments.

Ar moladh Cllr. C. Murphy

Cuidithe ag Cllr. G. Keating agus glacadh leis

“In light of recent responses to a number of notice of motions at Municipal District level from Irish Water, and given their implications on de-zoning of development land in our rural settlements due to the two tiered approach to land zoning contained in the National Planning Framework and subsequent impact on our smaller rural settlements, we would request the Minister of Housing, Local Government and Heritage amend the current legislation to permit, and to provide funding for, local authorities to undertake waste water developments in our smaller settlements to ensure the sustainability and future growth of our communities and our county.”

The elected members expressed serious concerns at the prospect of dezoning lands without proper infrastructure in rural parts of the county. The members called for a change in the focus of the National Planning Framework in order to allow private treatment units and innovative wastewater treatment facilities for settlements that do not have wastewater treatment infrastructure in place. It was noted that there are more than 40 settlements in Co. Clare that require wastewater treatment plants and infrastructure upgrades and this is leading to a decrease in population in rural parts of the county. The elected members expressed disappointment at the continuous responses being received from the State Agency Irish Water refusing to deliver the necessary water and wastewater facilities as failure to provide these services will lead to a loss of congregations in rural towns and villages. The elected members felt that work on the upcoming County Development Plan is going to provide a challenge and agreed that national views need to be re-examined in order to protect rural Clare. It was also agreed that all parties present need to produce a County Development Plan that can be justified to constituents in their communities.

L. Conneally, Director of Economic Development addressed the meeting and stated that discussions are ongoing with Department officials in relation to efforts to link zoning of land with infrastructure. Mr. Conneally informed the members that Government policy has restrained local authorities in what they can do and agreed that this is a countrywide issue that will have to be raised at national level. Mr. Conneally stated that if local authorities are seen at planning regulator level to go outside the National Planning Framework boundaries, then they will be subject to another process. Mr. Conneally agreed that the protection of rural towns and villages is of paramount importance in the next stage of the County Development Plan process and noted that the wishes of the members is clear.

P. Dowling, Chief Executive acknowledged the frustrations outlined by the elected members and accepted the fundamental loss of control by local authorities in relation to the provision of wastewater treatment plants. Mr. Dowling stated that he has been engaging and working on this for the last number of years and that he spoken and written to Government Ministers in this regard. Mr. Dowling agreed that continued local authority engagement is necessary in relation to the provision of infrastructure and felt that if this service was provided locally, local authorities could borrow the money required to put this infrastructure in place.

Cllr. C. Murphy acknowledged that local authorities are constrained by national policy and expressed belief that Clare County Council has the capacity to deliver in an innovative way in order to provide services for the communities.

Cllr. J. Cooney informed the meeting that a delegation of Councillors are arranging a meeting with Oireachtas Members during the week to discuss this critical issue and will request that these remarks are conveyed to Ministers. Cllr. Cooney called on the local authority to intervene for the good of rural Clare and demand a change in focus from the National Planning Framework so as to keep rural areas viable.

Item 19. Information regarding water supply interruptions.

Ar moladh Cllr. S. Talty

Cuidithe ag Cllr. J. Killeen agus glacadh leis

"Call on Clare County Council and Irish Water to have in place a robust service agreement which will ensure that information regarding water supply interruptions can be communicated to the public in a timely manner. The situation on the ground needs to be relayed to Irish Water systems so that staff manning public phonelines can give accurate answers & estimates as to when service might resume."

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

"Clare County Council work under a Service Level Agreement with Irish Water. Under the terms of the Agreement customer contact is dealt with exclusively by Irish Water through their Customer Care Team who can be contacted 24 hours a day, 7 days a week on 1850 278 278. Clare County Council Operational staff regularly liaise with Irish Water to report on disruptions to supply. However Irish Water also employ private sector contractors for capital works who equally have the same obligations in reporting disruptions to supply directly to Irish Water. It is Irish Water's responsibility to relay that information to their customers. Notwithstanding we will forward the Notice of Motion to Irish Water so they can reinforce that message with all their contractors."

The elected members outlined difficulties experienced by constituents during recent water outages and agreed that timely, up to date and accurate information should be provided in order to keep members of the public informed when interruptions to water supply occur.

Item 20. Re-instate speech and language therapy.

Ar moladh Cllr. S. Crawford

Cuidithe ag Cllr. M. Howard agus glacadh leis

"Can Clare County Council ask the HSE to address the urgent need to reinstate speech and language therapy, occupational therapy and physiotherapy services for children and adults. Even with Covid restrictions, efforts should be made to arrange and maintain ongoing therapies virtually. To date, anecdotally many service users in children and adult services have been left without therapy services."

The elected members expressed concern at the lack of speech and language therapy, occupational therapy and physiotherapy services being provided for children and

adults during the covid 19 pandemic and outlined the impact this is having on people's lives. The members agreed that these services and supports should be provided virtually as early intervention is crucial.

Item 21. Mother and baby homes.

Due to the absence of Cllr. D. McGettigan, this notice of motion was proposed by Cllr. M. Howard, seconded by Cllr. A. Norton and agreed by the members present.

“That this council recognises the upset and distress that the destruction of records by the commission of investigation into Mother and Baby homes has caused to women, their families and their representative groups.

That this Council recognises that survivors have already waited far too long to access their records and calls on the minister for children to publish without delay access to records legislation.

That this Council calls on the Minister for children to fully support the Civil Registration (Amendment) Bill 2021 to ensure that all adopted people are given unconditional access to their birth certs.”

Item 22. Restructure Board of Shannon Group.

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

“That this council call on Minister Eamon Ryan to restructure the Shannon Group board and appoint a chairperson to ensure that Shannon and Co. Clare are ready and open for business when world travel and tourism return to normal.”

The elected members agreed that the Minister should appoint a Chairperson to Shannon Group without delay. It was also felt that the incoming Chairperson should have knowledge of the aviation industry and that Clare County Council and the hotel industry should be represented on the Board.

Item 24. Fuel poverty.

Ar moladh Cllr. M. Howard
Cuidithe ag Cllr. G. Keating agus glacadh leis

“This winter, fuel poverty became a serious reality for many Irish citizens due to being "locked down" since last Autumn.

Consequently, Clare County Council requests Minister for Environment, Climate & Communications, Mr Eamon Ryan to reconsider any proposed ban on the burning of turf, peat products or wood for the heating of homes.”

The elected members acknowledged the work being carried out by the Covid Community Response Team. Concern was expressed at the level of fuel poverty being experienced by people who have had to remain at home as burning wood and peat products is no longer allowed. The members agreed that this decision needs to be revaluated until a cost effective alternative solution is available.

Item 25. Fair Deal Scheme.

Ar moladh Cllr. J. Killeen
Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“We call on our Oireachtas Members to progress the legislation on the amended Fair Deal Scheme (three year limit to the charges applicable), which has gone through pre-legislative scrutiny and is on the "priority list" for publication in the spring legislative session.”

Details of the Fair Deal Scheme were discussed and the elected members felt that many farmers who need to avail of national health care services fear it will cost their successors part of the cost of the farm and this reduces the prospect of people taking on the farm.

Item 26. Comhfhreagras/Correspondence.

Cllr. P. Hayes requested that Clare County Council support the following:

- Resolution circulated by Limerick City and County Council calling on the Minister for Housing, Local Government and Heritage to suspend the statutory time period for the preparation of the Draft Limerick Development Plan.
- Resolution circulated by Tipperary County Council calling on the Minister for Environment, Climate and Communication seeking a 75% rebate in the PSE levy on ESB bills for community halls and facilities because of their inability to fundraise due to covid 19.

Cllr. G. Flynn expressed disappointment in relation to the irrelevant response received from the Minister for Housing, Local Government and Heritage referring to planning policy and the acquisition of entire completed developments by local authorities for social housing.

Cllr. P. Daly thanked the executive for circulating staff contact details to Councillors.

The following correspondence was circulated with the agenda:

1. Correspondence dated 12th February, 2021 from the Minister for Justice regarding gambling laws.
2. Correspondence dated 10th February, 2021 from Deputy Cathal Crowe in relation to unauthorized occupation of public lands.
3. Correspondence dated 10th February, 2021 from the Department of Housing, Local Government and Heritage in relation to planning policy and the acquisition of entire completed developments by local authorities for social housing.
4. Correspondence dated 7th February, 2021 from Deputy Cathal Crowe in relation to active/sustainable travel officers.
5. Correspondence dated 3rd February, 2021 from Deputy Violet Anne Wynne in relation to Active/Sustainable Travel Officers.

6. Correspondence dated 3rd February, 2021 from Deputy Joe Carey in relation to Active/Sustainable Travel Officers.
7. Correspondence dated 2nd March, 2021 from the Department of Housing, Local Government and Heritage in relation to National Planning Framework.
8. Correspondence dated 15th February, 2021 from Senator Martin Conway in relation to National Planning Framework.
9. Correspondence dated 24th February, 2021 from the Department of Transport regarding European International Cargo Hub.
10. Correspondence dated 25th February, 2021 from the Office of the Taoiseach in relation to the Assisted Decision Making (Capacity) Act.
11. Correspondence dated 24th February, 2021 from the Office of the Taoiseach in relation to CETA.
12. Press release in relation to deferral of Revaluation.
13. Resolution circulated by Dublin City Council.
14. Resolution circulated by Limerick City and County Council.
15. Resolution circulated by Limerick City and County Council.
16. Resolution circulated by Kerry County Council.
17. Resolution circulated by Kerry County Council.
18. Resolution circulated by Tipperary County Council.
19. Resolution circulated by Tipperary County Council.
20. Resolution circulated by Kerry County Council.
21. Resolution circulated by Tipperary County Council.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____