

**Minutes of the May Monthly Meeting of Clare County Council held via MS  
Teams on Monday, 10<sup>th</sup> May, 2021 at 3:45 p.m.**

**Present via MS Teams:**

**Present:**

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

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O’Rourke, Assistant Staff Officer.
- Ms. Anne Haugh, Director of Social Development.
- Mr. Liam Conneally, Director of Economic Development.
- Mr. Leonard Cleary, Director of Rural Development.
- Ms. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, Director of Finance and Support Services.
- Mr. Seán Lenihan, Senior Engineer, Physical Development.
- Mr. John Leahy, Senior Engineer, Physical Development.
- Mr. Cyril Feeney, Senior Engineer, Physical Development.

The Cathaoirleach, Cllr. Mary Howard presided.

**Votes of sympathy.**

At the outset Cllr. P. Hayes extended a vote of sympathy to the Cathaoirleach, Cllr. M. Howard on the recent death of her sister Brid. Cllr. Hayes also extended sympathy to Cllr. G. Flynn on the death of his brother Michael. Cllr. Hayes proposed that the meeting be adjourned for 15 minutes as a mark of respect. This was seconded by Cllr. A. Norton and agreed by the members present.

The Chief Executive, P. Dowling, on behalf of the staff of the Council was associated with the expressions of sympathy.

Cathaoirleach, Cllr. M. Howard and Cllr. G. Flynn acknowledged and thanked the Chief Executive, staff and fellow Councillors for the support and kind gestures received during this difficult time for them and their families.

The meeting then adjourned for 15 minutes and resumed at 4:10 p.m.

**Item 1: Minutes of Council Meetings.**

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

“That the Minutes of the April Meeting of Clare County Council held on 12<sup>th</sup> April, 2021 be adopted and signed.”

b. Ar moladh Cllr. C. Murphy  
Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“That the Minutes of the adjourned April Meeting of Clare County Council held on 19<sup>th</sup> April, 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. A. Norton  
Cuidithe ag Cllr. P. Day agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 2<sup>nd</sup> March, 2021 be noted.”

**Item 4: Minutes of the Corporate Policy Group Meetings.**

The members noted the minutes of the meeting held on 6<sup>th</sup> April, 2021 as presented.

**Item 5: 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. M. Begley requested revised timeframes in relation to Errinagh Canal bank walkway and Springfield, Clonlara flood relief scheme.

Cllr. G. Flynn requested that workshops be organised to brief the elected members in relation to the transfer of staff to the single water utility, Irish Water as this will have ramifications for staff.

Cllr. C. Murphy commended the Tourism Unit on the successful launch of the Clare Tourism Strategy and acknowledged the work put into this. Referring to the Outdoor Recreation Infrastructure Scheme 2021 Cllr. C. Murphy requested that each Municipal District receive a work progress update on projects in their area. Cllr. C. Murphy complimented the works undertaken on footpaths in Cooraclare and Fanore.

Cllr. C. Murphy requested that Kilkee be prioritised in the bus shelter upgrade programme of works. Cllr. Murphy requested an update on CFRAMS in Kilkee.

Cllr. A. Norton acknowledged the works continuing on laneways in Ennis town. Cllr. Norton commended the arts and library service on their continued work during lockdown and referred to the benefit the online reading service provided for children. Cllr. Norton also complimented the seeds initiative.

Cllr. M. Nestor referred to the costs incurred by clubs when renting playing and training facilities and requested that a reduced rate be available as clubs cannot meet their financial cost due to being unable to fundraise. Cllr. M. Nestor requested an update on the roll out of public lighting around the county.

Cllr. P. Hayes acknowledged the work being undertaken by the Tourism Section and commended the launch of the Clare Tourism Strategy. Cllr. Hayes requested a timeframe in relation to the commencement of works on bus shelters. Cllr. P. Hayes referred to funding allocated for Specific Improvement Grant for R352 Henchy's Cross and stated that this junction needs more works than what has been approved. Cllr. Hayes requested an update in relation to water services staff and Irish Water.

Cllr. J. Garrihy acknowledged work undertaken in Fanore and welcomed progress on the bus shelter upgrade. Cllr. Garrihy concurred with Cllr. M. Nestor in relation to assisting sports clubs who do not have access to facilities.

P. Dowling, Chief Executive addressed the meeting and acknowledged the issues raised by the members.

Responding to requests for update in relation to water services, Mr. Dowling stated that discussions continue between Irish Water and the Department and that the Irish Water Framework will be drawn up in July. Mr. Dowling informed the members that unions are also in discussions in relation to staff.

Referring to the Clare Tourism Strategy, Mr. Dowling stated that this will be very useful for many years to come.

Mr. Dowling acknowledged the ongoing issue for many sporting groups and clubs and advised that sports bodies should approach their governing bodies first in relation to financial supports and undertook to discuss this further within Ennis Municipal District.

Seán Lenihan, Senior Engineer, Physical Development responded to queries raised in relation to Errinagh canal bank walkway and stated that work is ongoing in consultation with the NPWS to ensure work can be progressed in an environmentally friendly way. In relation to Springfield, Clonlara flood relief scheme Mr. Lenihan stated that a final report is expected this week which will be considered by the consultants. Mr. Lenihan undertook to revert to Cllr. Begley on this.

S. Lenihan, Senior Engineer, Physical Development also undertook to revert to Cllr. C. Murphy in relation to CFRAMS in Kilkee.

C. Kirby, Director of Physical Development responded to query raised in relation to public lighting and stated that the tender is at evaluation stage and that report is awaited.

John Leahy, Senior Engineer, Physical Development stated that contractors are being appointed in relation to upgrade works to bus shelters in Shannon. Mr. Leahy stated that the other seven bus shelters are being evaluated with the NTA.

Mr. Leahy agreed that work on R352 Henchy's Cross is warranted and stated that a funding application for a low cost safety scheme will be submitted in autumn.

**Item 6: Disposal of property at Drumquin, Barefield, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 21<sup>st</sup> April, 2021 from Carmel Greene, Senior Executive Officer, Economic Development was circulated with the agenda together with map. The report states that it is proposed to dispose of an area of lands measuring 0.16 hectares at Drumquin, Barefield, Co. Clare subject to the conditions as set out in the notice served on the members dated 21<sup>st</sup> April, 2021.

Ar moladh Cllr. A. Norton  
Cuidithe ag Cllr. G. Flynn 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 lands at Drumquin, Barefield, Co. Clare subject to the conditions as set out in the notice served on the members dated 21<sup>st</sup> April, 2021.”

**Item 7: Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001-2013 for the proposed works on The Rectory building, Mountshannon, Co. Clare.**

Report dated 5<sup>th</sup> May, 2021 from Leonard Cleary, Director of Rural Development was circulated with the agenda together with report from Helen Quinn, A/Senior Planner. The report outlines details of proposed development at the Old Rectory at Mountshannon, Co. Clare.

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

“That pursuant to Part XI Section 179 of the Planning and Development Act 2000 (as amended) and Part VIII Article 80 and 81 of the Planning and Development Regulations 2001-2010 Clare County Council proceed with the proposed development at the Old Rectory, Mountshannon, Co. Clare.”

Cllr. P. Burke and Cllr. P. Hayes commended the work undertaken in Rural Development Directorate in progressing this project and acknowledged the support received from Mountshannon Community Council and East Clare Heritage Group.

P. Dowling, Chief Executive thanked the elected members for their support and noted that the next step can now be taken in relation to Inis Cealtra and Holy Island.

**Item 8: Statutory Audit Report to the members of Clare County Council for the year ended 31<sup>st</sup> December, 2019.**

The Statutory Audit Report to the Members of Clare County Council on the Accounts of Clare County Council for year ended 31<sup>st</sup> December, 2019 was circulated with the agenda.

The report included the Chief Executive's responses to all comments raised by the Auditor. The report as presented was noted by the members present having been proposed by Cllr. A. Norton and seconded by Cllr. J. Cooney.

**Item 9: Report from Audit Committee on Statutory Audit Report for year ended 31<sup>st</sup> December, 2019.**

Report from Austin Slattery, Chairman on behalf of the Clare Audit Committee was circulated with the agenda. The report states that the Audit Committee held its meeting on 19<sup>th</sup> April, 2021 to review the Statutory Audit Report for year ending 31<sup>st</sup> December, 2019.

The members noted the report as presented having been proposed by Cllr. M. Begley and seconded by Cllr. A. Norton.

**Item 10: Clare County Council Audit Committee Annual Report 2020.**

The 2020 Audit Committee Annual Report was circulated with the agenda. The report states that under the provision of the Audit Charter for Clare County Council and Section 60 of the Local Government Act 2014 requires that the Audit Committee report to the Council at least annually.

The report outlines details of the Audit Committee under the following headings:

- Functions of the Audit Committee
- Membership of the Committee
- Role and Responsibility of Internal Audit
- Meetings with Directors of Services
- Internal Audit
- Local Government Audit Report 2019
- Risk Register
- Report from GDPR Officer
- Work Program for 2021

The members noted this item as presented having been proposed by Cllr. A. Norton and seconded by Cllr. S. Talty.

Cllr. P. Hayes as a member of the Audit Committee acknowledged the Audit Committee members for the professional approach taken when looking at all aspects of Clare County Council and the challenges it faces. Cllr. Hayes acknowledged the co-operation received from all the team in Clare County Council in working on these issues.

P. Dowling, Chief Executive stated that the Audit Committee is an important watchdog for Clare County Council and acknowledged the professional caliber on the committee. Mr. Dowling noted that Directors of Service attend Audit Committee meetings on a regular basis and stated that the Audit Committee played a very important role during the last 14 months.

**Item 11: Clare County Council Draft Annual Financial Statement 2020 Unaudited.**

The Annual Financial Statement for 2020 together with a report was circulated in advance of the agenda and was noted by the members. Noeleen Fitzgerald, Director of Finance and Support Services addressed the meeting and briefed the elected members on the key components of the Draft Annual Financial Statement 2020 which included: financial impact due to Covid 19, loss in income from commercial rates, increased expenditure in different areas. Ms. Fitzgerald referred to government supports and additional business supports provided by Clare County Council.

Ar moladh Cllr. P.J. Ryan

Cuidithe ag Cllr. C. Colleran Molloy agus glacadh leis

“That Transfers to reserves as set out below is hereby approved:

			<b>Total</b>
			<b>Euro</b>
<b>A</b>	Housing and Building Total		1,729,000
<b>B</b>	Road Transport & Safety Total		1,025,000
<b>C</b>	Water Services Total		265,000
<b>D</b>	Development Management Total		3,762,000
<b>E</b>	Environmental Services Total		1,236,000
<b>F</b>	Recreation and Amenity Total		1,745,000
<b>G</b>	Agriculture, Education, Health & Welfare Total		-
<b>H</b>	Miscellaneous Services Total		206,000
<b>J</b>	Central Management Charges Total		2,251,000
			<u>12,219,000</u>

Ar moladh Cllr. M. Begley

Cuidithe ag Cllr. J. Cooney agus glacadh leis

“In accordance with Section 104 of the Local Government Act 2001, the approval of Council is sought for additional expenditure by Division as set out below:

	Exp
	Euro
Housing and Building	1,117,000
Road Transportation and Safety	1,235,000
Development Incentives and Controls	3,638,000
Environmental Protection	183,000
Miscellaneous Expenditure	12,376,000

**Item 12: Community Support Scheme 2021.**

Report dated 30<sup>th</sup> April, 2021 from Bernadette Haugh, A/Senior Executive Officer, Rural Development Directorate was circulated with the agenda. The report states that at their meeting on Friday, 30<sup>th</sup> April 2021, the members of the Working Group for the Action Plan for Rural Ireland considered the grant recommendations under Tranche 1 which included the following support schemes:

- (1) Support Scheme for Public Area and Amenity Enhancement – Residents Associations
- (2) Support Scheme for Burial Grounds
- (3) Support Scheme for Best Kept Local Authority Estate
- (4) Support Scheme for Irish Language
- (5) Support Scheme for Christmas Lighting
- (6) Support Scheme for Tourism Marketing and Promotion
- (7) Support Scheme for Sustainable Tourism
- (8) Support Scheme for Community Wi-Fi
- (9) Support Scheme for Community Playgrounds
- (10) Support Scheme for Arts – Events
- (11) Support Scheme for Arts – Festivals
- (12) Support Scheme for Arts – Supports
- (13) Support Scheme for Arts – Trad

The total fund for Tranche 1 is **€389,550**

The grant recommendations were approved having been proposed by Cllr. C. Colleran Molloy and seconded by Cllr. J. Cooney.

**Item 13: CLÁR Funding Programme for 2021.**

Report dated 30<sup>th</sup> April, 2021 from Bernadette Haugh, A/Senior Executive Officer, Rural Development Directorate was circulated with the agenda. The report states that based on the recommendation of the Working Group for the Action Plan for Rural Ireland at their meeting on 30<sup>th</sup> April 2021, 10 applications in total will be submitted to the Department for consideration under Measure 1 and 2 combined and 3 applications under Measure 3(a).

A total of 36 applications were received, of which 8 were ineligible due to their failure to meet criteria such as not meeting the minimum amount of funding sought or not being open to the public without appointment.

Clare County Council will be operating Measures 1, 2 & 3(a) of the CLÁR scheme with funding available for support for schools/community safety measures, outdoor community recreation facilities and community wellbeing measures including community gardens and allotments.

CLÁR provides funding for small scale infrastructural projects in rural areas that have suffered significant levels of population decline.

Funding for the CLÁR programme has been increased by 10% for 2021, in recognition of the importance of the programme to some of our most remote rural areas.

The members agreed that the recommended projects be submitted to the Department having been proposed by Cllr. C. Murphy and seconded by Cllr. M. Begley.

**Item 14: Ratification of new members to the Clare Local Community Development Committee (LCDC).**

Report dated 29<sup>th</sup> April, 2021 from Bernadette Haugh, Chief Officer, Clare LCDC was circulated with the agenda. The report states that at the Clare Local Community Development Committee (LCDC) meeting held on the 14<sup>th</sup> of April 2021, a proposal was put forward for the replacement of three outgoing members of the current LCDC. The outgoing members have served two consecutive three year periods which is the maximum duration under the statutory guidelines.

The following 3 nominations are submitted by the LCDC members for ratification.

- Agricultural Sector: Thomas Lane of the Irish Farmers Association (IFA) to replace Andrew Dundas.
- Youth Sector: Brian McManus of Clare Youth Service to replace Margaret Slattery.
- Business Sector: Margaret O'Brien of Ennis Chamber of Commerce to replace Helen Downes.

The members approved the nominations having been proposed by Cllr. J. Garrihy, seconded by Cllr. G. Flynn and agreed by the members present.

**Item 15: Clare Tourism Advisory Forum.**

Report dated 28<sup>th</sup> April, 2021 from Deirdre O'Shea, Head of Tourism was circulated with the agenda. The report states that in April 2021, the Clare Tourism Strategy 2030 – Guiding our Journey to a Vibrant New Future in Tourism was officially launched. One of the Strategic Priorities outlined is to:



*Establish a county-wide Tourism Advisory Forum to strengthen governance and act as an advisory group for Clare County Council and a spokes-group for tourism.*

The Clare Tourism Recovery Taskforce, which was established in July 2020 will now move into a longer term advisory forum who with Clare County Council and will have an oversight role in the implementation of the strategic priorities as identified in the Clare Tourism Strategy. This workload will be set out in periodic action plans derived from the overall Strategy. This group is now known as the **Clare Tourism Advisory Forum**.

The current membership of the Clare Tourism Advisory Forum is widely representative of the Tourism Industry (Attractions and Accommodation), Community Tourism Networks, Chamber of Commerce, Clare Local Development Company and Fáilte Ireland.

The Tourism Advisory Forum is Chaired by Sean Lally (Hotel Woodstock) and Vice-chaired by Maurice Walsh (Durdy Nellys).

There is a requirement to extend this membership to include elected members from each Municipal District, to ensure geographical balance and representation as follows:

- Ennis Municipal District – Councillor Paul Murphy.
- Killaloe Municipal District – Councillor Pat Hayes.
- Shannon Municipal District – Councillor Pat Mc Mahon.
- West Clare Municipal District – Councillor Joe Killeen and Councillor Gabriel Keating.

The Tourism Advisory Forum will provide advice on issues and opportunities facing the industry in Clare and will have an oversight role on the implementation of the Clare Tourism Strategy 2030.

The Tourism Advisory Forum will be on a bi-monthly basis (*or monthly if required for an urgent issue*). There will be a specific Terms of Reference and governance model set out. As the need arises, Working Groups will be formed to work on specific projects.

The appointments were approved by the full Council having been proposed by Cllr. P. Daly, seconded by Cllr. A. Norton and agreed by all present.

**Item 16: Ennis 2040 Economic and Spatial Strategy Loan.**

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

**Item 17: Waterways Ireland Presentation – Shannon Tourism Masterplan for the Shannon Region at 3:00 p.m.**

Cathaoirleach, Cllr. M. Howard introduced Éanna Rowe, Regional Manager, Waterways Ireland and Damien McWeeney, Western Regional Office, to the meeting via MS Teams.

Éanna Rowe, Regional Manager, Waterways Ireland addressed the meeting and briefed the members on the Tourism Masterplan for the Shannon Navigation and Shannon Erne Waterway under the following headings:

- Shannon, the Mighty River of Ireland
- Background
- Objectives of Shannon Tourism Masterplan
- Key Pillars in Formulation
- Multiple Ways to Interact with the Shannon and Shannon Erne Waterways
- Unique Experiences of the Shannon
- Themes of the Shannon
- Shannon Discovery Zones
- Strategic Initiatives
  - Clear, consistent and co-ordinated communication and messaging
  - Enhancing the on-water visitor experience
  - Enhancing the waterside visitor experience
  - Shannon towns and villages
  - Protecting and enhancing the Shannon environments
  - Improving connectivity
  - Building enterprise and community networks
- Implementation structure
- Early win - projects

Éanna Rowe, Regional Manager, Waterways Ireland and Damien McWeeney, Western Regional Office, responded to queries raised by the members. Chief Executive, Pat Dowling thanked Éanna Rowe for the detailed presentation and committed to continued collaboration with Waterways Ireland.

**Item 18. Evaluation of visual impact of dwellings.**

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

“That, in accordance with the legitimate right to know, all considerations and sequential reference in the process of evaluation of visual impact of dwellings on different landscapes be detailed in a comprehensible manner for the information of members of the planning authority and the people of Clare.”

**Liam Conneally, Director of Economic Development replied as follows:**

“In terms of a ‘legitimate right to know’, I have previously advised that the planning application procedure is the most open and transparent of government processes. On receipt, all planning applications are validated, processed and assessed in accordance

with the Planning Acts and Regulations. In addition all planning reports are available for inspection in the planning office or online on the Council's website. These reports set out the planning issues as relevant and considered in the assessment of an application, including those of 'visual impact', when preparing a recommendation on a planning application.

With regard to the landscape characteristics, Chapter 13 of the Clare County Development Plan sets out the different landscape character areas of the County. Such designations were informed by the detailed Landscape Character Assessment of County Clare, and identify the following landscape types:

**a. Settled Landscapes**

These comprise the network of farmland, villages and towns that make up the majority of the County, and are landscapes where the majority of the population live and work. Such landscapes provide opportunities for agriculture, forestry, tourism, enterprise and leisure.

**b. Working Landscapes**

These landscapes contain the highest concentrations of population and employment and the strongest transport links and connectivity and include lands within 10km on either side of the N18/M18, except as excluded by Heritage Landscapes.

**c. Shannon Estuary Working Landscape**

This includes all shores and waters between Moneypoint to Ballynacragga Point, excluding Clonderlaw Bay.

**d. Heritage Landscapes**

These landscapes are areas of the county where sensitive environmental resources – scenic, ecological and historic – are located, and include both national and internationally recognised areas such as the Clare coastline, the Burren and Lough Derg. The role of these landscapes is to sustain natural and cultural heritage, and to allow these landscapes to evolve and to renew.

In addition to the above the County Development Plan, identifies a number of scenic routes within the County, which traverse the various landscape types and can include for some coastal areas which are also popular tourist routes. The designation of these routes is not intended to prohibit development but rather that any development on these routes does not hinder or obstruct scenic views.

The above landscape types are supported in the County Development Plan by various policies and objectives. These objectives seek to permit development within the various landscapes whilst at the same time recognise the particular characteristics of each area. Furthermore each policy includes a common provision that developments demonstrate:

- That sites have been selected to avoid visually prominent locations
- That site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, public amenities and roads,
- That design for buildings and structures reduce visual impact through careful choice of form, finish and colours and that any site works seek to reduce visual impact of the development.

In assessing a planning application therefore the location of a site within the various landscape types is a key consideration. For example, some Heritage landscapes are within coastal areas which are open and exposed and where traditional building forms consist of single storey, stone built houses linked with farm buildings. Alternatively, Working landscapes are more robust and can support a high level of tree cover which can assist in the assimilation of a dwelling house/development.

The planning report for each application sets out all the relevant issues pertaining to the application, including those regarding visual impact. This ‘visual impact’ will vary from site to site and as each site and application has specific characteristics and issues, each application is assessed on its individual merits on a case-by-case basis. As such a detailed step-by-step methodology for generic use is not possible or appropriate. A key issue for all landscape types is however the site selection process and it is important that at an early stage or at the pre-planning stage that these issues are identified – our Clare Rural House Design Guide provides advice in this regard.

Considerations in terms of site selection include:

- sites offering shelter, privacy and good orientation for passive solar gain.
- sites with roadside hedgerows, trees, and natural boundaries which can be retained and incorporated into the layout.
- Sites that provide shelter from prevailing winds and landscaping and which have a natural backdrop.
- Sites that allow for safe access without significant removal of roadside boundaries.

It is important to recognise that prominent or sensitive sites require careful consideration in terms of their siting and design and when done so can contribute to the character of the landscape and set a high design standard which respects the context of the site. The layout of the dwelling should have regard to the pattern of development in the area, including older traditional built forms and orientations. Regard should also be had to the proximity to adjoining dwelling houses so as to avoid potential overlooking issues.

As outlined above, and in previous notice of motions, the considerations applied in the assessment of planning applications vary as each site and application has specific characteristics and issues. In addition the Planning Authority is guided by the policies and objectives of the County Development Plan and Ministerial Guidelines which inform the visual and other considerations of various development proposals.

In light of the above information therefore it is not practical or possible to give full details of all considerations in the assessment of visual impact for all development application sites due to the variance in types and locations of developments throughout the County.”

Cllr. P.J. Kelly expressed disappointment with the response received as people have a right to be given information when planning permission is being refused. Cllr. P.J. Kelly stated that people understand refusal due to sight distance or percolation issues but he felt that there is a lack of definition on what visual impact means. Cllr. J. Killeen welcomed the information provided in the response and acknowledged the concerns raised by Cllr. P.J. Kelly in relation to the provision of more information to Councillors, applicants, planning agents and architects.

P. Dowling, Chief Executive noted Cllr. P.J. Kelly's ongoing reservations and stated that visual impact is a subjective issue that is different for all situations.

Cllr. P.J. Kelly stated that Clare County Council needs to be protected from the risk of high court challenges and vowed to raise this issue again as he has a duty to the people who elected him to get what they are entitled to.

L. Conneally, Director of Economic Development addressed the meeting and expressed confidence that decisions and planning assessments are in line with legislation.

### **Item 19. Maritime Training Centre of Excellence.**

Ar moladh Cllr. I. Lynch

Cuidithe ag Cllr. A. Norton agus glacadh leis

“Following the recent positive announcements and other potential developments along the Shannon Estuary and off the West Coast of Clare I request that Clare County Council partner with education providers to establish a maritime training centre of excellence in Kilrush as a hub for West Clare, maximising the full potential of the already established maritime infrastructure available.”

#### **Liam Conneally, Director of Economic Development replied as follows:**

“The recent positive announcements regarding Moneypoint and other developments along the Shannon Estuary have added national and international focus to the significant potential the maritime industry has in terms of economic, social and rural development of County Clare. Such developments reflect the long-held vision and policy support of the Elected Members and Executive as set out in the *Clare County Development Plan 2017-2023* and the *SIFP for the Shannon Estuary*.

Clare County Council is committed to translating this vision into a socio-economic project and leading the establishment of a Maritime Training Centre of Excellence. Based on our research and contacts with the industry over the last number of years and taken together with the recent announcements at Moneypoint, there is significant market potential for such a development in the West of Ireland. There are numerous advantages, both for the project and for the area, if such a Maritime Training Centre of Excellence was located in West Clare.

The importance of establishing such a Maritime Training Centre of Excellence which recognises the maritime history of West Clare and the Shannon Estuary and the opportunity to create a landmark building and development could define the area as a world class leader in the provision of maritime training and research.

Such a specialised maritime training centre project however requires significant business planning, a property solution as well as collaboration through the procurement of other partners. Critically, sufficient start-up funding capital to establish such a facility is required.

Currently the focus of the project is on seeking funding from a range of funding sources and schemes whilst also at the same time creating the most advantageous property solution required to develop such a specialised facility. Subject to the

achievement of sufficient funding and a property solution, together with the procurement of suitable maritime educational operators, it is feasible that such a project could be operational in West Clare.”

The elected members agreed that Shannon Estuary provides potential for development and these opportunities should be exploited in order to benefit the entire West Clare area.

**Item 20. Accessibility for all.**

Ar moladh Cllr. D. McGettigan  
Cuidithe ag Cllr. A. Norton agus glacadh leis

“We know that the way disability is conceptualised has been challenged and is shifting from a medical and charitable model to a social model.

The social model views the way society is organised as being disabling rather than the individuals impairment itself.

With this knowledge we call on Clare County Council to carry out a survey of Ennis, then other towns and villages, using existing Apps and mapping software include buildings, invite businesses to participate to assess accessibility for all.

This will include parking, gradients, access and amenities.

The purpose of this would be to create an APP or information through the website to promote and ensure the full and equal enjoyment of our County by all persons with a disability.

Our towns and villages will become more accessible and welcoming places and our County could be marketed as "The most accessible, friendly Town/County in Ireland."

**Ann Reynolds, Senior Executive Officer, Corporate Services replied as follows:**

“The Council is committed to creating an environment that can be used by all people, regardless of their age, size, disability or ability. One of our key strategic objectives as stated in our Corporate Plan is:

*To deliver, maintain and protect key infrastructure to facilitate the economic, social, physical and rural development of County Clare in a manner which promotes sustainability, accessibility, connectivity and respect for the environment.*

The principles of universal design are applied organisation wide at the planning and design stage of all projects; roads/ footpaths/ public spaces/ public amenities etc.

The principles of universal design are considered at every level of planning, from macro-level strategic planning and the National Planning Framework, (NPF), to the Regional Spatial and Economic Strategies (RSES), to County Development Plans, Local Area Plans, master planning exercises and development management. Incorporating universal design principles at each level of planning can make for a hierarchy of settlements that accommodate a range of services and facilities that are accessible to all. The upcoming Draft Clare County Development Plan 2022-2028 will have regard to the principles of universal design in terms of content and also in the manner in which the draft plan itself is made available to the public.

One of the Strategic aims for Ennis Municipal District in the Clare County Development Plan 2017 – 2023 is:

*“To apply the principles of Universal Design to create spaces that are safe, easy to navigate and which easily facilitate daily life and business;”*

Ennis Municipal District continues to liaise with stakeholders to identify and implement improvements in pedestrian movement to and to make improvements in Ennis to lighting, paving, street furniture, and parking. The Ennis Walkability Study carried out in 2019 identified issues including parking on footpaths and dog fouling. Clare County Council ran public awareness campaigns on these issues. Each year the Council participates in and supports the Make Way Day initiative run by the National Disability Authority.

A key feature of the Ennis Public Realm Project on Parnell Street is the shared flat surface; whereby all road users (pedestrians, wheelchair users, drivers) have equal rights on a shared flat surface. Further review and consultation will inform the future works on O’Connell St. and Barrack St. areas.

As part of the development of the Ennis 2040 Economic and Spatial Strategy, a number of public consultations and stakeholder engagements, which included local businesses, were held to ensure the community became actively involved in the process and in the development of the strategic objectives and actions outlined in the Ennis 2040 Strategy. A key objective identified in the strategy is to deliver “An Accessible Place of Quality”, which is built on five pillars:

- Quality of place including housing
- Health and well-being
- Accessibility
- Sustainability
- Vibrancy and Activity

This objective sets out to promote quality of place through the delivery of high quality, person-centred buildings and world class public spaces and amenities that accommodate people of all abilities and ages, is accessible, safe and legible, and easy to navigate. The Council recognises that as the needs of the population change, Ennis must adapt to facilitate all stages of life, and the Ennis 2040 Economic and Spatial Strategy will guide future development in this regard.

As part of the Ennistymon Masterplan that the Planning Department are currently preparing in conjunction with Ennistymon Town Team and Clare Local Development Company it is proposed to involve the community in carrying out an accessibility audit of the town. This will inform the emerging masterplan going forward and will include for persons with all levels of ability across the community.”

The elected members agreed that this is a social inclusion issue and that many disabilities are invisible. It was agreed that ongoing engagement with the public is necessary in order to realise the needs of people with disabilities. The members acknowledged that Clare County Council has been very inclusive in its activities by creating an environment that can be used by all people and encouraged a continuation of this so that in future Clare can be promoted as an accessible destination.

**Item 21. Reduce charges for furniture disposal.**

Ar moladh Cllr. P.J. Ryan

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

“That this council would consider reducing the charges for the disposal of mattress and suites of furniture at the dump / recycling centres on a trial basis, to see if it would alleviate the dumping of this material on the side of the public roads.”

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

“The current rates charged in our Civic Amenity Sites at Scarriff, Lisdeen and Inagh are very competitive for the disposal of large bulky items such as furniture and mattresses. The charges levied only cover the basic cost of the disposal of those items. It would be contra to the polluter pays principle for the Council to reduce charges further and in effect subsidise the cost of disposing of these items. Clare County Council would also have a concern that reducing charges would not actually alleviate the problem. From our experience, items such as Waste Electrical and Electronic Equipment (WEEE), which are free to dispose of and recycle in all our amenity sites, continue to be illegally dumped on the side of public roads. The majority of people in County Clare recycle and dispose of their waste in the correct manner but unfortunately there is a small cohort who regardless of charges, dispose of their waste and recyclable materials illegally. We have again sought funding from the Department of the Environment, Climate and Communications under their Anti-Dumping Initiative (ADI) to run another amnesty day for the disposal of bulky items. We previously ran one day events which catered for the disposal of mattresses in 2018, bulky furniture in 2019 and hazardous chemicals in 2020. We will keep the members informed of any such proposed amnesty days in 2021.”

The elected members expressed concern at the high cost incurred by local authorities when cleaning up illegal dumping and felt that if landfill and recycling charges were reduced people may consider disposing mattress and suites of furniture in a proper manner. The elected members agreed that there should be a surcharge at the point of purchase so that furniture providers would take away the old furniture when delivering new furniture.

It was suggested that the Council facilitate open days at landfill sites and recycling centres in order to encourage people to dispose of these items. It was also felt that illegal dumping perpetrators should be named and shamed. The elected members complimented the local authority for supporting local community groups, individual volunteers and Tidy Towns groups during the recent “Keep Clare Clean” campaign.

Congratulations were extended to Carmel Kirby, Director of Physical Development on achieving her Doctorate recently.

**Item 22. Decentralising Department of Rural Affairs and Community Development.**



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

“That Clare County Council request the Government consider decentralising the Department of Rural Affairs and Community Development into a regional location as an indication of their commitment to “Our Rural Future” Policy document.”

The elected members agreed that decentralisation of Government Departments is timely due to the number of public servants currently working remotely. It was felt that County Clare would be a suitable location for the Department of Rural Affairs and Community Development as Clare County Council has played a leading role in launching and implementing rural development policies. The elected members called for support from the Clare Oireachtas Members on this matter.

P. Dowling, Chief Executive stated that Clare would welcome any opportunity for decentralisation projects and agreed that any decentralisation of essential services should be promoted.

### **Item 23. Maximum household income thresholds.**

Ar moladh Cllr. C. Murphy  
Cuidithe ag Cllrs. G. Flynn, T. O’Brien, J. Flynn, S. Talty, P. O’Gorman agus P. Hayes agus glacadh leis

"To request that the Minister for Housing, Local Government and Heritage would re-examine the current suitability of the maximum household income thresholds in the three banded areas. We further request circulation to all other local authorities and Oireachtas Members.”

The elected members outlined concerns in relation to the current maximum household income threshold as many constituents exceed the income threshold due to their earnings but are living on very little after rent and childcare costs are paid. The members noted that the income thresholds have not been assessed in more than ten years and felt that a review is overdue as the current policy discriminates against a large number of housing applicants who cannot get housing support currently. The members expressed disappointment that Clare is in band 3 of income threshold while neighbouring counties are in band 2 and it was felt that could discourage people from taking up employment and improving their incomes.

### **Item 24. Campaign to encourage people to make a will.**

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

“That Clare County Council calls on the Government to undertake a public campaign to encourage people to make a will and calls on it to initiate the PROVISIONS OF THE “ASSISTED DECISION MAKING CAPACITY ACT 2015.”

The elected members agreed that making a will is essential and that Solicitors are available to guide people on the process. The members felt that people need to take responsibility and make appropriate provisions as nobody knows when circumstances

could change. It was noted that the Assisted Decision Making (Capacity) Act 2015 is due to commence in June 2022.

#### **Item 25. Town Renewal Scheme.**

Ar moladh Cllr. A. O'Callaghan  
Cuidithe ag Cllrs. J. Crowe agus P. Daly agus glacadh leis

“Ask this council to call on the Minister for Housing, Local Government and Heritage, Darragh O'Brien to reintroduce the Town Renewal Scheme (Section 23) type. In order to incentivise landlords on getting derelict buildings around our county back in use.”

The elected members agreed that if tax incentives were offered, it would encourage people to invest in restoring derelict buildings and bring them back into use which would provide more houses and apartments. It was also agreed that a town renewal scheme would revitalise many towns and villages.

#### **Item 26. Comhfhreagras/Correspondence.**

##### **Correspondence.**

##### **The following correspondence was circulated with the agenda:**

1. Correspondence dated 22<sup>nd</sup> April, 2021 from the Office of the Minister for Agriculture, Food and the Marine in relation to funds, initiatives and schemes that will be put in place to support, enhance and protect farm family incomes, post Brexit.
2. Correspondence dated 29<sup>th</sup> April, 2021 from the Department of Social Protection regarding proposal to remove the means test for Carer's Allowance.
3. Correspondence dated 22<sup>nd</sup> April, 2021 from the Office of the Minister for Finance in relation to Carer's Allowance.
4. Correspondence dated 29<sup>th</sup> April, 2021 from the Office of the Minister for Agriculture, Food and the Marine in relation to the appointment of an Independent Meat Regulator.
5. Correspondence dated 27<sup>th</sup> April, 2021 from the Department of Justice and Equality in relation to the Safe Ireland report.
6. Correspondence dated 23<sup>rd</sup> April, 2021 from the Office of the Minister for Housing, Local Government and Heritage in relation to the Land Development Agency Bill 2021.
7. Motion circulated by Cork City Council sending letter of support which condemns the racial and misogynistic abuse being inflicted on the Lord Mayor of Dublin Cllr. Hazel Chu.
8. Resolution circulated by Sligo County Council asking the Taoiseach to intervene on the crisis facing community sector in relation to insurance.
9. Resolution circulated by Sligo County Council in relation to tax increases.

10. Motion circulated by Roscommon County Council requesting the establishment of an annual fund for necessary capital works at our nations cemeteries.
11. Resolution circulated by Limerick City and County Council in relation to the Land Development Agency Bill 2021.
12. Resolution circulated by Limerick City and County Council calling for the retention of existing policies in relation to one-off rural housing.
13. Public Consultation on Policing Priorities for the Garda Síochána for 2022 launched by the Policing Authority.
14. Resolution circulated by Dun Laoghaire Rathdown County Council supporting the campaign of Epilepsy Ireland to address long standing issues that continue to impact on people with epilepsy and their families.

The meeting then concluded.

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

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

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