

Minutes of Special Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via MS Teams on Tuesday, 30th November, 2021 at 3:30 p.m.

Present:

Councillors M. Howard, M. Nestor, C. Collieran Molloy, P. Murphy, J. Cooney, P. Hayes, 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.

Present via MS Teams:

Councillors A. Norton, P. Burke, S. Talty, J. Garrihy, P.J. Kelly and 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. Leonard Cleary, Director of Rural Development.
- Ms. Noeleen Fitzgerald, Director of Finance and Support Services.
- Mr. Liam Conneally, Director of Economic Development.
- Dr. Carmel Kirby, Director of Physical Development.
- Ms. Helen Quinn, A/Senior Planner, Economic Development.
- Ms. Candace Ingram, Executive Planner, Economic Development.

Apologies: Cllrs. J. Flynn P. Daly L. Grant.

The Cathaoirleach, Cllr. P.J. Ryan presided and provided a summary of the stage Clare County Council is at in the making of the new development plan. Cllr. Ryan stated that the members were circulated a ‘pre-draft’ Clare County Development Plan on the 16th June 2021. Following which the members have had 29 workshops with the Executive where the member’s consideration of the pre-draft plan was facilitated.

That period of consideration of the pre-draft plan has now concluded and the members have agreed a range of amendments that are required to be made to that plan in advance of it being placed on public display. Those agreed amendments were arrived at by full council and at relevant Municipal District level.

Cathaoirleach, Cllr. P.J. Ryan acknowledged the time and work that the elected members have given to this process over the last 6 months in particular and expressed confidence that the plan going out on public display now will be a better plan for the people of Co. Clare.

The Cathaoirleach also acknowledged Liam Conneally, Director of Service with responsibility for this plan making process and his Planning Team who have facilitated these workshops and the member’s consideration of the plan to date.

Liam Conneally, Director of Economic Development addressed the meeting and stated that the proposed Amendment to the Draft Clare Co. Development Plan 2022-2028 on 30th November, 2021 is made pursuant to Section 11 (5) (c) of the Planning and Development Act, 2000 (as amended).

Mr. Conneally outlined that the statutory process for the making of the new Clare County Development plan commenced on the 18th September 2020 with the publication of a statutory notice and issues paper.

This was followed by a period of public consultation that ran from 18th September 2020 to 16th November 2020, which included a public consultation event on the 1st October 2020, a media campaign which ran over social media, local press, radio, targeted consultation with stakeholders, 33 schools who undertook a geography project developed by the Planning Authority, virtual presentations and public engagement.

A total of 194 written submissions were made at this early stage of public consultation and the Chief Executive report on those submissions was presented to the elected members on the 15th January 2021.

The members then issued directions to the Executive up to the 25th March 2021 on what should be included in the pre-draft Plan.

The pre-draft plan was then submitted to the elected members in line with the provision of Section 11 of the Planning and Development Act, 2000 (as amended) on 16th June 2021.

Following the issuing of the pre-draft plan new legislation was enacted under the Planning and Development (Amendment) Act 2021 and Section 11D of the Planning and Development Act 2000, as amended, enabling Planning Authorities to extend the duration of the existing county development plans to provide for an additional period to review the existing development plans and to prepare new development plans.

In accordance with section 9A (2) of the Planning and Development Act 2000, as amended, the Elected Members of the Planning Authority approved, by resolution at a Special Council Meeting on 28th July 2021, to avail of the provisions of this new legislation and to initiate the process to extend the period, by up to 7 months, to review the existing county development plan and to prepare a new development plan.

The members by resolution decided to extend the Clare County Development Plan 2017-2023 as varied, at the Council Meeting held on 08th November 2021. In so doing, this allowed for an additional period of up to 7 months to review the current development plan and to prepare a new Clare County Development Plan which would now span the period 2023-2029. Consequently, the period for the members to consider the “pre-draft” plan and to make amendments was extended up to the 30th November 2021.

Since the 16th June 2021 the members have been considering the content of the pre-draft plan and the Executive have facilitated this consideration through 29 workshops held across the county where the content of the plan was discussed. On foot of that period of consideration today we have a book of amendments that are being proposed to the pre-draft plan. In order to give effect to these and any other amendments which the members may decide they must be made by resolution here today. In the event that no amendments are made by resolution today the pre-draft plan that was issued to

the members on the 16th June 2021 will be the plan that will be placed on public display.

Following on from today's meeting the Draft Development Plan will be placed on display on the 10th December 2021 until the 28th March 2022 (in excess of 15 weeks). Mr. Conneally encouraged the people of Clare and those with a vested interest in our county to review the content of the Draft Plan and to make a submission on same within this public consultation period.

Mr. Conneally then set out the proposed amendments in order by Volume of the Draft Clare County Development Plan: They consist of

- An Amendment to the Development Plan Title and Effective Period of the plan
- Amendments to Volume 1 Written Statement
- Amendment to Volume 2 Maps
- Amendments to Volume 3 Municipal District Settlement Plans
- Amendments to Volume 3 (a) Ennis Municipal District Written Statement and Maps
- Amendments to Volume 3 (b) Shannon Municipal District Written Statement and Maps
- Amendments to Volume 3 (c) Killaloe Municipal District Written Statement and Maps
- Amendments to Volume 3 (d) West Municipal District Written Statement and Maps
- Amendments to Volume 4 Record of Protected Structure
- Amendment to Volume 5 Clare Renewable Energy Strategy
- Amendment to Volume 7 Clare Retail Strategy
- Amendment to Volume 8 Clare Housing Strategy
- Amendments to Volume 10 Environmental Appraisals
- Amendments to Volume 10a Natura Impact Report
- Amendments to Volume 10b(i) Strategic Environmental Assessment – Non-Technical Summary
- Amendments to Volume 10b(ii) Strategic Environmental Assessment – Environmental Report

- Amendments to Volume 10b(iii) Strategic Environmental Assessment - Statement
- Amendments to Volume 10c Strategic Flood Risk Assessment
- Note: There is no amendment to Volume 6 – Clare Wind Energy Strategy or Volume 9 – Strategic Infrastructure Framework Plan (SIFP) for the Shannon Estuary

Mr. Conneally continued that in undertaking their function of making amendments to the pre-draft plan the elected members are required to put forward the reason(s) for the proposed amendments having regard to the proper planning and orderly development of the area, the statutory obligations of the Local Authority in the area and any relevant policies or objectives for the time being of the Government or Minister of the Government.

In addition, any proposed amendments must have regard to implications of the amendments in terms of Strategic Environmental Assessment and compliance with Appropriate Assessment.

Mr. Conneally informed the meeting that following on from today's meeting the Planning Authority will within 2 weeks place the draft Development Plan on public display and accept written submissions within a 15 week display period from 10th December 2021 to 28th March 2022.

Mr. Conneally acknowledged the role of the Chief Executive, Management Team, Senior Team, elected members, members of the public, the staff in the planning department and forward planning department in the development plan making process

Mr. Conneally outlined the key emerging themes from the Plan as follows:

- Climate Change is embedded in every element of the plan.
- Aligning the plan with our National and Regional Planning documents. The National Planning Framework, National Marine Framework, Regional Spatial and Economic Strategy
- Establishing a statutory basis for Ennis 2040 Economic and Spatial Strategy
- Setting out clearly our aspirations to deliver an Economic Strategic Development Zone on the University of Limerick Clare campus
- Tying together the various plans and strategies that we have in place across the organization and incorporating the key objectives of each plan into one central document e.g. the County Clare Tourism Strategy 2030, the Climate Adaptation Strategy 2019-2024, The Clare Rural Development Strategy, The Clare Age Friendly Strategy and Action Plan to name but a few.
- Incorporating objectives to enable rural communities to continue to develop in a sustainable manner into the future.
- Objectives have been included throughout the plan to encourage property owners and developers to renovate and make available vacant and derelict

properties in our towns and village for those who want an alternative place to live from the one off rural house

Mr. Conneally informed the meeting that the following issues may arise:

- Population allocation across the county
- Waste water infrastructure and lack thereof in 50 settlements in the County
- The possible application of a Tax on lands zoned for residential development
- Dereliction and vacancy in our towns and villages

The Cathaoirleach, Cllr. P.J. Ryan then opened the meeting to the floor for the members comments

The elected members joined in acknowledging the role of the Planning staff for their engagement and participating in a challenging process in preparing the Draft County Development Plan. The elected members welcomed the collaboration between staff and elected members in finding creative solutions to problems that arose. It was emphasized by the members that their endorsing and proposing the Draft County Development Plan does not indicate their agreement to the contents of the Plan.

Concern was expressed in relation to the dictatorship at national level and the national planning regulator which makes the process difficult for Councillors. The elected members encouraged the Oireachtas Members to look at the key areas to endorse this plan in terms of dispersal of population, tax implications for zoned lands and benefit to small communities from wind energy. It was suggested that the Council write to the Office of the Planning Regulator seeking their position in relation to the Flemish Decree. The elected members agreed that Clare must be a living microcosm of society and not just a tourist county. The Councillors encouraged engagement from the members of the public and requested that submissions be made during the timeframe available for consideration. It was agreed that more information is needed in relation to the tax levy on zoned land so that people can make a more educated decision regarding zoning their land.

Queries were raised in relation to the proposed LNDR and it was requested that the possibility of upgrading the road as far as Knockalisheen be investigated in order to address the dangerous junction at Brennans Cross.

The elected members referred to the lack of serviced infrastructure in settlements in the county and expressed concern that land may be dezoned in these areas. The members expressed disappointment at the absence of a response from Minister O'Brien in relation to this.

The elected members felt that it is important that Clare County Council assess and implement the strategies under its control, as the implementation of these strategies will send a positive signal and encourage investment and regenerate rural towns and villages.

Liam Conneally, Director of Economic Development thanked the members for their observations and responded to comments made. In relation to the population growth projections, Mr. Conneally stated that the executive will continue to raise this issue at national level.

Mr. Conneally advised that the Council executive are in continuous engagement with Irish Water and the Department in relation to the allocation of service infrastructure in settlements and that there is progress for pilot schemes.

Mr. Conneally informed the meeting that the tax implications for zoned land is contained in the 2022 Finance Bill and that there will be a two year lead in period in this process. Mr. Conneally anticipated that there will be more information available after Christmas and undertook to share this information with the elected members when available.

In relation to wind energy Mr. Conneally advised that guidelines are awaited and that there is a need to review existing wind energy guidelines as current applications are dealing with higher output than when the current guidelines were prepared.

Mr. Conneally advised the members of the right to make submissions and encouraged constituents to make submissions. Mr. Conneally stated that it is an inclusive process and that difficulties will be dealt with in an amicable way. Mr. Conneally advised that there will be active engagement with the planning regulator and will welcome their comments on how they reconcile the Flemish decree with the social and economic need within the planning framework.

Mr. Conneally agreed that the extension of time has given the elected members and executive more time to deal with difficult planning issues and the plan is better as a result.

Mr. Conneally undertook to liaise with the Director of Physical Development in relation to Brennans Cross and the road upgrade at Knockalisheen.

Responding to request for legal opinion Mr. Conneally stated that the matter is being dealt with and undertook to circulate information to the elected members prior to the December Council meeting.

P. Dowling, Chief Executive addressed the meeting and thanked the members and the staff in Economic Development for their extensive work to date in preparing the Draft County Development Plan and bringing it to the next stage of public consultation commencing on the 10th December 2021.

Ar moladh Cllr. C. Murphy
Cuidithe ag Cllr. C. Colleran Molloy agus glacadh leis

“That following consideration by the Elected Members of:

- a) The Pre-Draft Clare County Development Plan 2022-2028, dated 16th June 2021;
- b) The associated Strategic Environmental Assessment (Environmental Report) and Appropriate Assessment (Natura Impact Report), and the Strategic Flood Risk Assessment dated 16th June 2021;
- c) Project Ireland 2040: The National Planning Framework
- d) The Regional Spatial and Economic Strategy for the Southern Region

- e) The policies and objectives of the Minister contained in the Guidelines prepared under Section 28 of the Planning and Development Act, 2000 (as amended);
- f) Any relevant policies or objectives for the time being of the Government or Minister for Government;
- g) The statutory obligations of the local authority in the area;
- h) The proper planning and sustainable development of the area to which the plan relates;

therefore, in accordance with the provisions of Section 11(5)(c) of the Planning and Development Act, 2000 (as amended) this Council hereby resolves to make the following amendments, numbered GEN 1 to SFRA- 5, to Draft Clare County Development Plan 2022-2028.”

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____