

Minutes of the September Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via MS Teams on Monday, 12th September, 2022 at 3:45 p.m.

Present:

Councillors M. Howard, M. Nestor, 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, 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. Noeleen Fitzgerald, Director of Finance and Support Services.
- Mr. Jason Murphy, A/Director of Service, Ukrainian Response Team.
- Ms. Leonore O’Neill, Senior Executive Officer, Physical Development.
- Mr. Seán Lenihan, Senior Engineer, Physical Development.
- Mr. Cyril Feeney, Senior Engineer, Physical Development.
- Ms. Trina Rynne, Financial Accountant.
- Mr. John Gannon, Senior Executive Engineer, Physical Development.

Present via MS Teams:

Cllrs. J. Flynn and L. Grant.

Apologies:

Dr. Carmel Kirby, Director of Physical Development.

The Cathaoirleach, Cllr. T. O’Brien presided.

Votes of sympathy.

At the outset Cllr. P. Hayes proposed a 15 minute adjournment of the meeting as a mark of respect to our friend and colleague Margaret Ryan, Staff Officer, Rural Development Directorate R.I.P. This was seconded by Cllr. J. Cooney and Cllr. G. Flynn and agreed by all members present. The members extended their sympathy on behalf of the Council to Margaret’s family and the staff in the Rural Development Directorate. Tributes were paid to Margaret with the members noting her enthusiasm, commitment

and dedication to her job and her family. P. Dowling, Chief Executive thanked the members for their kind sentiments and extended support to Margaret's colleagues. On behalf of the staff of the Council, Mr. Dowling offered sympathy to the Ryan family.

A vote of sympathy was also extended to the following:

- The Falvey family, Blarney, Co. Cork on the death of Pat Falvey, RIP
- The Naughton family, Kilnamona on the death of Eileen Naughton, RIP
- The Considine family, Ennis on the death of Florence Considine, RIP
- The Moylan family, Tubber on the death of Helena Moylan, RIP
- The Walsh family Kingston, Galway on the death of John Walsh, RIP
- The Smyth family on the death of Chris Smyth, RIP
- The Cavanagh family, Fermoy on the death of Tom Cavanagh, RIP
- The Earlie family Ennis on the death of Tom Earlie RIP
- The Reynolds family Clarecastle on the death of Joe Reynolds RIP
- The O'Dwyer and Chaplain families, Cratloe on the death of Kieran O'Dwyer RIP
- The Considine and Garrihy families, Lisdoonvarna on the death of their infant twins Tadhg and Daithí.

The members also remembered the late Catriona Lucas on the occasion of her 6th anniversary.

Cathaoirleach, Cllr. T. O'Brien acknowledged the presence of friends and colleagues of Cllr. Mark Nestor in the public gallery. The members agreed to photographs being taken by media photographers present in the public gallery also.

Cllr. Mark Nestor Resignation.

The Cathaoirleach, Cllr. T. O'Brien led tributes to Cllr. Mark Nestor on his resignation as a member of Clare County Council. The members referred to the committed and dedicated service Mark provided to Fianna Fáil and the people he represented in Cloughleigh and the entire Ennis and Clare area. The elected members expressed admiration and respect for Mark on the brave and courageous decision he has made and wished him well going forward in his chosen vocation.

P. Dowling, Chief Executive on behalf of the staff of Clare County Council wished Mark well and stated that Mark always treated his colleagues and staff with the upmost respect.

Cllr. M. Nestor addressed the meeting and stated that his resignation will take effect from Tuesday 13th September. Cllr. Nestor stated that it was a pleasure to serve the people of Cloughleigh, Ennis and Clare. He thanked the executive and members of Clare County Council and Ennis Municipal District for their ongoing support and kindness. Cllr. Nestor expressed hope that the experience he has gained in political life will benefit him on his new pathway in life. Cllr. Nestor stated that he intends to serve the people of Clare in a new way and hoped that he will get the opportunity to work with them in future in a different capacity.

Approval to attend the Clare Association Annual Dinner Dance in New York.

It was proposed by Cllr. C. Colleran Molloy, seconded by Cllr. P.J. Ryan and agreed that the Cathaoirleach would accept the invitation to attend the Clare Association Annual Dinner Dance in New York on 15th October, 2022.

Suspension of Standing Orders.

Ann Reynolds, Meetings Administrator advised that a suspension of standing orders was required as the time for dealing with headed items had exceeded the time allocated as per Standing Orders. This was agreed by the members present having been proposed by Cllr. J. Killeen and seconded by Cllr. G. Keating.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. A. Norton
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the July Meeting of Clare County Council held on 11th July, 2022 be adopted and signed.”

Item 2: Matters Arising.

There were no matters arising.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. C. Colleran Molloy
Cuidithe ag Cllr. M. Howard agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 7th July, 2022 be noted.”

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

“That the Minutes of the Killaloe Municipal District Meeting held on the 11th May, 2022 be noted.”

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

“That the Minutes of the Killaloe Municipal District AGM held on the 24th June, 2022 be noted.”

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

“That the Minutes of the Shannon Municipal District Meeting held on the 17th May, 2022 be noted.”

e. Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That the Minutes of the Shannon Municipal District AGM held on the 28th June, 2022 be noted.”

f. Ar moladh Cllr. S. Talty
Cuidithe ag Cllr. J. Killeen agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 3rd May, 2022 be noted.”

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

“That the Minutes of the West Clare Municipal District Special Meeting held on the 23rd June, 2022 be noted.”

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

“That the Minutes of the West Clare Municipal District AGM held on the 23rd June, 2022 be noted.”

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

a. Ar moladh Cllr. M. Begley
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That the minutes of the Economic Development S.P.C. meeting held on 20th June, 2022 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 4th July, 2022 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. P. Burke welcomed the commencement of work on the Killaloe By-pass project.

Cathaoirleach, Cllr. T. O'Brien acknowledged the contribution of colleagues, executive, management and members of the private sector who were part of a delegation representing Clare at the Milwaukee Irish Fest in Wisconsin recently.

Cathaoirleach, Cllr. O'Brien referred to the positive work being done to promote County Clare particularly the official opening of Loop Head Lighthouse Visitor Experience recently.

Cllr. J. Garrihy referred to the ongoing work being carried out in Rural Development and their co-operation to deliver extraordinary projects throughout the county. Cllr. Garrihy requested an update on the proposed work to bridge in Ennistymon. Cllr. Garrihy complimented the team involved in the flagship project at Lahinch Leisure Centre.

Cllr. J. Flynn welcomed progress on the Local Infrastructure Housing Activation Fund. Cllr. J. Flynn referred to the Public Lighting Energy Efficiency Project and suggested that sensor technology be made available in order to increase energy efficiency.

Cllr. J. Killeen referred to the Corofin Enhancement Strategy Consultation being held in Corofin Community Hall on the 14th September and requested that Corofin be included in the Ennis to Ennistymon phase of the West Clare Greenway.

Cllr. C. Murphy requested that data be made available in the Monthly Management Report comparing homeless figures with last year. Cllr. C. Murphy referred to the Waste Management Bye Law Campaign in Kilkee and thanked the staff involved in this initiative and requested that a similar campaign be introduced next year. Cllr. C. Murphy expressed disappointment that there were six water outages in Doonbeg between 27th July and the 6th August and felt that it is now time to help the people in Doonbeg. Cllr. C. Murphy welcomed the establishment of the Ukrainian Services Department and requested information in relation to number of hotel bedrooms out of circulation for housing displaced people as well as services being provided to them by property owners.

Cllr. M. Begley welcomed the results of construction work in Springfield, Clonlara.

P. Dowling, Chief Executive thanked the members and acknowledged the benefit of the Monthly Management Report. Mr. Dowling stated that every effort is being made to progress work on the Ennistymon bridge. Mr. Dowling referred to the public lighting retrofitting project and noted the comments made by Cllr. J. Flynn.

Mr. Dowling undertook to take on board the request for data on homeless figures and agreed that the Council needs to be more forceful in relation to waste management at holiday resorts.

Mr. Dowling stated that the A/Director of Service, Ukrainian Services Development will meet with Councillors at Municipal District level.

Cllr. P. Hayes requested an update on the S.L.A. with Irish Water in relation to the employment of staff. Cllr. Hayes also requested an update on proposed works at Henchy's Cross.

P. Dowling, Chief Executive stated that the new Framework Agreement still stands and that meetings continue in relation to this.

Item 7: Disposal of property at Ballydineen, Knockalough, Kilrush, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 22nd July, 2022 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of an area of property at Ballydineen, Knockalough, Kilrush, Co. Clare subject to the conditions as set out in the notice served on the members dated 22nd July, 2022.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at Ballydineen, Knockalough, Kilrush, Co. Clare subject to the conditions as set out in the notice served on the members dated 22nd July, 2022.”

Item 8: Disposal (by lease) of lands at Bunratty, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 27th July, 2022 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 (by lease) of an area of lands measuring 0.202 hectares at Bunratty, Co. Clare subject to the conditions as set out in the notice served on the members dated 27th July, 2022.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal (by lease) of lands at Bunratty, Co. Clare subject to the conditions as set out in the notice served on the members dated 27th July, 2022.”

Item 9: Disposal of property at Carraig Hill, Shannon, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 27th July, 2022 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 property at Carraig Hill, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 27th July, 2022.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at Carraig Hill, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 27th July, 2022.”

Item 10: Disposal (by lease) of property at Dough, Kilkee, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 11th July, 2022 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 (by lease) of property at Dough, Kilkee, Co. Clare subject to the conditions as set out in the notice served on the members dated 11th July, 2022.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal (by lease) of property at Dough, Kilkee, Co. Clare subject to the conditions as set out in the notice served on the members dated 11th July, 2022.”

Item 11: Disposal of property at Radharc an Oir, Boheraroan, Newmarket on Fergus, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 22nd August, 2022 from Adrian Headd, A/Senior Engineer, Housing Department was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Radharc an Oir, Boheraroan, Newmarket on Fergus, Co. Clare subject to the conditions as set out in the notice served on the members dated 22nd August, 2022.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at Radharc an Oir, Boheraroan, Newmarket on Fergus, Co. Clare subject to the conditions as set out in the notice served on the members dated 22nd August, 2022.”

Item 12: 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 Latoon Cycling Infrastructure, Co. Clare.

Report dated 5th September, 2022 from John Gannon, Senior Executive Engineer, Physical Development was circulated with the agenda together with the Chief Executive’s report dated 5th September, 2022 (including Clare County Council’s screening for appropriate assessment and determination), which had been prepared by Candace Ingram, A/Senior Executive Planner, under Delegation Order HR151 dated 9th April 2021. The report outlines details of a proposed provision of new off-road cycling infrastructure at Latoon, Co. Clare and the members were asked if there were any issues that they wished to raise in respect of the report circulated.

Cllr. J. Flynn requested that a condition be included preventing vehicular access to this amenity due to the history of illegal encampments at this location. J. Gannon, Senior Executive Engineer, stated that as there is a requirement for vehicular access at this location, vehicular access cannot be prevented. He advised that he would consider how restricted access could be managed in the future at this location. This was agreed by the members present having been proposed by Cllr. P. McMahon and Cllr. P. Murphy.

As the Chief Executive’s report had been duly considered by the members, in accordance with Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001, as amended, and as there was no proposal to vary or modify the development, and as there was no proposal to refuse the development, accordingly, the development can proceed as outlined.

Item 13: 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 development at Vandeleur Walled Garden, Kilrush, Co. Clare.

Report dated 5th September, 2022 from Ruth Hurley, Senior Executive Architect, Rural Development was circulated with the agenda together with the Chief Executive’s report dated 2nd September, 2022 (including Clare County Council’s screening for appropriate assessment and determination), which had been prepared by Helen Quinn, A/Senior Planner, under Delegation Order HR151 dated 9th April 2021. The reports outline details of a proposed development which consists of restoration and alterations within the existing stable block courtyard to support tourism development at Vandeleur Centre, Kilrush, Co. Clare and the members were

asked if there were any issues that they wished to raise in respect of the report circulated.

As the Chief Executive's report had been duly considered by the members, in accordance with Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001, as amended, and as there was no proposal to vary or modify the development, and as there was no proposal to refuse the development, accordingly, the development can proceed as outlined.

Item 14: Interim Financial Report to 30th June, 2022.

Financial Report for half year to 30th June, 2022 was circulated with the agenda. The report set out a financial review of the Council's income and expenditure account for the first six months of 2022, in both the day-to-day operational services and capital infrastructure delivery where €101.3m was spent in the period, with income of €101.9m generated for the same period. The members noted the report as presented.

Item 15: Local Property Tax (Local Adjustment Factor).

Report on Local Property Tax (Local Adjustment Factor) was circulated with the agenda. The report states that the Local Property Tax (L.P.T.) which came into effect in 2013, is an annual tax charged on residential properties in Ireland. In accordance with Section 20 of the Finance (Local Property Tax) Act 2012 as amended by Section 5 of the Finance (Local Property Tax) Act 2013, a local authority may vary the basic rate of Local Property Tax within its own area by a maximum +/- 15%.

The elected members will as a reserved function be presented with a draft 2023 statutory budget to adopt in November 2022. In advance of preparing this draft budget, the members are required to decide in relation to Local Property Tax Local Adjustment Factor (L.A.F.) by September 2022 in order that it can have effect from 1st November (liability date for Revenue). The Chief Executive's report provides the information as required by regulation to this council relevant to the decision making process.

Elected members must consider the following factors in coming to their decision:

1. The financial position of Clare County Council,
2. The Councils estimation of the income it will receive and the expenditure it will incur in the period for which the varied rate is to have effect, i.e. the years 2023 and 2024
3. The financial effect of the varied rate on both the Council and the property owner and
4. Feedback from the public consultation

In addition, the Local Property Tax (Local Adjustment Factor) Regulations 2022 (S.I. 358 of 2022), have included a provision where this Council, can set a local adjustment factor for a period of their choosing. The resolution to set a multi annual local adjustment factor (2023 – 2024 inclusive) is a decision of this Council. As with all resolutions should members decide to amend their L.A.F. decision in the following

year this can be revoked in accordance with the provisions of the local authority and the processes as outlined in regulations and guidance.

The report provided details of (a) the Council Financial Position (b) estimation of income and expenditure for the period 2023 and 2024 for which the varied rate is to have effect (c) estimation of income (d) estimation of expenditure (e) balancing income with expenditure (f) potential impact on a liable person (e) public consultation.

In conclusion the report states that if the council decides to maintain the Clare County Council 2022 L.P.T. rate this will maintain essential L.P.T. funding of €1.37m to assist with the demands outlined and given the unprecedented challenges outlined, these funds are critical to meet emerging future demands.

It is recommended to members that there is no change in the level of Local Property Tax (L.P.T.) Local Adjustment Factor payable by Clare homeowners for 2023 and 2024, over that in place in 2020, 2021 and 2022 even though we are facing significant cost increases in these inflationary times i.e. to maintain the 2022 Local Property Tax rate at 15% above the standard rate until 2024.

Cllr. G. Flynn addressed the meeting and stated that people are concerned about coping as the cost of living is out of control. Cllr. G. Flynn put forward the following proposal which was supported by Cllr. D. McGettigan and Cllr. A. Norton.

“I am calling on the elected members of Clare County Council to reduce the Local Property Tax for 2023 by 15%. I am also calling on the members to only apply the change on a single year basis and oppose the request from the Chief Executive Officer for an increase of 15% above the standard rate on homeowners in Clare for 2023 and 2024.”

Cllrs. A. Norton and D. McGettigan supported Cllr. G. Flynn’s proposal and stated that people are struggling with finances and are experiencing difficult times.

Cllr. Hayes noted that the local property tax bands have changed post revaluation and over 19,000 properties have moved bands and that 51% of properties in County Clare have been valued in the lowest band for 2022. For those property owners a 15% change in the standard local property tax rate would reduce their annual bill by €3.50 per annum (€0.26 pw). Cllr. Hayes continued that if Clare County Council reduce the local property tax it will incur a loss of €1.3m and that as a local authority there is responsibility to balance the budget and that the Council needs to provide services.

Cllr. J. Cooney stated that it is important that Clare County Council delivers services in Clare and proposed that the Chief Executives report as presented be approved.

Cllr. J. Flynn felt that this is an important decision and noted that a significant number of households will pay less local property tax due to the change in the valuation bands. Cllr. J. Flynn also expressed concern in relation to the loss of income for Clare County Council if the rate was reduced and proposed that there is no change in the level of Local Property Tax payable by Clare homeowners.

P. Dowling, Chief Executive addressed the meeting and noted the comments and concerns expressed by the members. Mr. Dowling stated that it is essential that the Councils finances are managed appropriately in order to maximise services being provided to the people of Clare.

Noeleen Fitzgerald, Director of Finance and Support Services addressed the meeting and provided details of the factors considered in making the decision to retain the current rate of local property tax payable. Ms. Fitzgerald noted that a reduction of 15% in the local property tax would incur a loss of €2.7m income to Clare County Council. Ms. Fitzgerald provided details of the changes in tax bands due to the revaluation process and the impact this will have on homeowners. Ms. Fitzgerald informed the members that social housing tenants do not pay local property tax. Ms. Fitzgerald recommended that Clare County Council retain the rate of local property tax at the same rate as the last three years which is varied upwards at 15% for 2023 and 2024.

A vote was taken on the counter proposal which was proposed by Cllr. G. Flynn and seconded by Cllrs. A. Norton and D. McGettigan which resulted as follows:

In favour: Cllrs. A. Norton, G. Flynn, D. McGettigan. (3)

Against: Cllrs. M. Nestor, J. Flynn, C. Colleran Molloy, P. Murphy, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O’Callaghan, T. O’Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahan, P. O’Gorman, S. Talty, J. Killeen, J. Garrihy, L. Grant, P.J. Kelly, B. Chambers, G. Keating, C. Murphy. (23)

Abstained: Nil.

Not Present: Cllrs. M. Howard and I. Lynch. (2)

The Cathaoirleach declared the vote lost.

A vote was taken on the Chief Executives Report on the Local Property Tax (Local Adjustment Factor) which resulted as follows:

In favour: Cllrs. M. Nestor, J. Flynn, C. Colleran Molloy, P. Murphy, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O’Callaghan, T. O’Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahan, P. O’Gorman, S. Talty, J. Killeen, J. Garrihy, L. Grant, P.J. Kelly, B. Chambers, G. Keating, C. Murphy. (23)

Against: Cllrs. A. Norton, G. Flynn, D. McGettigan. (3)

Abstained: Nil.

Not Present: Cllrs. M. Howard and I. Lynch. (2)

The Cathaoirleach declared the vote carried.

Ar moladh Cllr. P. Hayes

Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That in accordance with the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended) to include the Local Property Tax (Local Adjustment Factor) Regulations 2022, that the basic rate of local property tax should stand retained varied upwards by 15 per cent for the period **1 November 2022 to 31 October 2024 (multi-annual decision)**, in respect of relevant residential properties situated in the administrative area of Clare County Council.”

Item 16: Approval of proposed nominations from Clare PPN to Clare LCDC.

Report dated 5th August, 2022 from Bernadette Haugh, Chief Officer, Clare LCDC was circulated with the agenda. The report states that according to the statutory guidelines surrounding LCDC membership, members from the community & voluntary sector may serve a maximum of two, three-year terms on the LCDC committee.

Clare PPN's Social Inclusion Representative on the Local Community Development Committee, Colette Bradley has come to the end of her second term in this position and as a result has served the maximum term as per the statutory guidelines.

Clare PPN has conducted its election processes for the vacant seat and has nominated Bridgie Casey as one of Clare PPN's Social Inclusion representatives on the LCDC.

The report continues that in June Clare PPN announced the very sad news on the passing of Cornelia Wahli (RIP). Cornelia was a member of the PPN Secretariat and was the PPN Environmental Rep on the LCDC since September 2020. Cornelia's replacement will be Bridget Ginnity.

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

Item 17: Report from Standing Orders Sub-Committee.

Report dated 14th July, 2022 from Ann Reynolds, Senior Executive Officer, Corporate Services was circulated with the agenda. Cllr. G. Flynn, Chair of Standing Orders Sub-Committee addressed the meeting and provided an outline of the report which states that the Standing Orders Sub-Committee met on Wednesday, 13th July, 2022 and considered the following matters:

1. Commencement time of Council Meetings.

Notice of motion at June meeting from Cllr. P. Burke requested a change of time for the commencement of Council meetings. It was agreed that the proposal be discussed by the Standing Orders Committee and revert back to the full Council with their recommendation.

Recommendation:

Briefings will take place at 2:00 p.m. and Council meetings will commence at 3:00 p.m. with an end time of 5:45 p.m. and with an option to extend the meeting to 6:30 p.m. The option to extend the meeting to 6:30 p.m. will only apply when it is evident to the Cathaoirleach that it is possible to conclude the Agenda, otherwise the meeting will be adjourned to a later date. Presentation and discussion to be concluded at 2:50 p.m. Presentations to be limited to a maximum of 20 minutes followed by Q&A.

2. Review of Order of Business with respect to the "Correspondence" item.

Recommendation:

Correspondence item (g) be moved to item (c) following Matters arising on the minutes on the order of business. This discussion on correspondence items will be limited to the original proposer or the proposer's nominee (one speaker only) of the motion.

Discussion on Management report should be limited to questions or points of clarification.

The members further recommended that motions appear on the agenda alternating between A and B motions in the order in which they are received.

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

“That pursuant to the provisions of Schedule 10, Article 16, Part (2) of the Local Government Act, 2001, the revised Standing Orders be adopted for the regulation of the proceedings and business of Clare County Council in accordance with report circulated with the agenda. These Standing Orders are effective from 12th September, 2022.”

The members thanked the Standing Orders Sub-Committee for working with the different grouping in order to achieve a balance.

Item 18: Invitation from Professor Kerstin Mey, President, University of Limerick to hold Council meeting in UL campus.

Correspondence dated 8th August, 2022 from Professor Kerstin Mey, President, University of Limerick was circulated with the agenda. The correspondence issued a formal invitation to Clare County Council to hold a formal monthly meeting of the Council in UL campus.

This was approved having been proposed by Cllr. M. Begley, seconded by Cllr. A. Norton and agreed by the members present. The members agreed that the November meeting will take place in UL campus.

Item 19: Briefing by Joe Lavin, Chief Commercial Officer, National Broadband Ireland at 3:00 p.m.

Leas Cathaoirleach, Cllr. A. Norton introduced Mr. Joe Lavin, Chief Commercial Officer, National Broadband Ireland to the meeting.

Mr. Lavin addressed the meeting and thanked the members for providing the opportunity to deliver the briefing and update in relation to the roll out of broadband services in the county. Mr. Lavin stated that the National Broadband Plan is the largest ever telecommunications project undertaken by the Irish State and that it aims to radically transform the country's broadband landscape through the delivery of quality, affordable high-speed broadband to all parts of Ireland where such services are not available commercially. Mr. Lavin stated that the N.B.P. will ensure that all people and businesses have access to high-speed broadband, no matter where they live or work. Mr. Lavin advised that the Department of Communications identified all premises in the country that do not have access to high-speed broadband and this is called the Intervention area. N.B.I. have been contracted to connect over 559,000

premises and the network is being designed, built and operated by National Broadband Ireland using a combination of state subsidy and commercial investment. Mr. Lavin outlined that it is a seven year build programme currently scheduled to complete in 2026. It was also noted that N.B.I. are responsible for the management and maintenance of the N.B.I. network for the next 25 years. Mr. Lavin provided details of N.B.I.'s network design and build process and provided details of progress to date and the cost to connect. Mr. Lavin outlined progress on the County Clare – fibre to the home update and stated that there are 22,789 premises in Co. Clare without access to high-speed broadband and that this represents 32% of the total premises in the county. Mr. Lavin stated that the Government will invest ~€9m in building N.B.P. in Co. Clare. Mr. Lavin provided details of the broadband connection points and schools update. Mr. Lavin referred to the N.B.I. website and the additional functionality available to support public representatives.

The elected members thanked Mr. Lavin for attending and commended National Broadband Ireland for their willingness to engage. The members expressed disappointment at the delays in delivering broadband as this is leaving rural areas disadvantaged and can be frustrating for people who are working remotely. The members queried why N.B.I. are by-passing some towns and villages and not providing connections.

Mr. Lavin responded and stated that N.B.I. are currently completing between 7,000 and 9,000 premises per month across all counties and that this is a seven year programme and that due to covid-19 restrictions is currently 11 months behind schedule. Mr. Lavin expressed hope that people in all areas will have commenced build by 2025 as significant progress is being made. Mr. Lavin stated that N.B.I. are by-passing some towns and villages as they are not in the intervention area and that other service providers have informed the Department that they are providing services in those areas. Mr. Lavin continued that N.B.I. have a build programme which is an efficient way to build a network across all 26 counties as equitable as possible and that they will continue working until the programme is delivered. Mr. Lavin stated that N.B.I. are in the final stages of work in Kilkishen. In relation to costs, Mr. Lavin stated that customers will be connected irrespective of cost up to €5,000 and that if a connection costs more than that N.B.I. will engage with the end user to find an alternative payment method and possibly ask them to cover the incremental cost. Mr. Lavin informed the members that their website is updated every quarter and that people can use their Eircode to establish progress in their areas.

P. Dowling, Chief Executive thanked Mr. Lavin for the ongoing engagement with N.B.I. and empathised with the frustration being experienced by property owners who are waiting for fibre broadband. Mr. Dowling acknowledged work being carried out and noted the process involved. Mr. Dowling stated that Clare County Council will facilitate N.B.I. as much as possible. Mr. Dowling suggested that frequent communication issue to the general public to provide updates on progress in their areas.

Cathaoirleach, Cllr. T. O'Brien informed the members that a timing system is now in place in the new communication system and asked the members to be mindful of speaking times.

Item 20. County Development Plan.

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

“That Clare County Council provide legal advice on the presumed legality/constitutionality of the proposal in County Development Plan to control development by the imposition of an allocation of population process.”

Liam Conneally, Director of Economic Development replied as follows:

“The County Solicitor has sought additional information to assist him to provide legal advice to Clare County Council.

On receipt of his legal advice I will issue same to the elected members.”

Cllr. P.J. Kelly expressed disappointment that he did not receive a comprehensive reply to the notice of motion submitted. Cllr. Kelly questioned if it is morally right to put a limit on the amount of houses that can be built in a time period as he felt that putting a limit on the amount of houses is effectively putting a limit on the population. Cllr. Kelly expressed disbelief that Oireachtas Members allowed the National Planning Framework to go through the Dáil process. Cllr. Kelly stated that Clare County Council will have to determine if this is legal or otherwise and hoped to get a comprehensive legal response.

The elected members expressed concern in relation to the limits being set in particular parts of the county and the imposition on planners to allocate numbers as they have been set a low ceiling regarding the number of people who can reside in rural areas. The members felt that written assessment from the Chief Executive and the Director of Economic Development is needed on directions around zoning in our county and that clarity is needed if this can be used by third parties to make objections. The members requested full knowledge of these implications. The members also felt that this is a matter that should be raised with Oireachtas Members.

P. Dowling, Chief Executive stated that there is a single recurring theme on the County Development Plan on how we can grow and how we have been restricted around that growth. Mr. Dowling apologised that the reply was not provided and stated that there will be a full thorough reply presented when the legal advice becomes available.

L. Conneally, Director of Economic Development addressed the meeting and informed the members that this matter is being dealt with very seriously and that the County Solicitor had sought further detail as recently as the previous Thursday. Mr. Conneally stated that a robust response will issue as soon as possible.

In terms of the process, Mr. Conneally stated that the figures are released from the Department and not the OPR and that the Minister issues guidelines to local authorities. Local Authorities send the Draft County Development Plan to the OPR and it is then assessed against the national regulatory guidelines and if there are changes that differ significantly from the Ministers guidelines the OPR engages with the Minister.

Mr. Conneally confirmed that the Office of the Planning Regulator has been in direct contact with Planning Officials in terms of issuing advice and guidance as necessary. Mr. Conneally stated that planning officials feel that 4,500 households is more than

adequate to deal with future population expansion and felt that it is incumbent that population settlements should happen in an adequate way.

Mr. Conneally felt that it is of the essence that we get advice to the elected members as quickly as possible in order to allow them to make a full and proper decision in relation to the County Development Plan.

Cllr. P.J. Kelly thanked the members for their support and thanked the Chief Executive and Director of Economic Development for their response. Cllr. Kelly stated that this is for the protection of Clare County Council in order to ensure the Council is not exposed.

As the time had reached 6:30 p.m. the members agreed to defer the outstanding items to an adjourned meeting which was scheduled to take place on Monday, 19th September at 3:00 p.m.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____

Minutes of the adjourned September Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via MS Teams on Monday, 19th September, 2022 at 3:00 p.m.

Present:

Councillors M. Howard, J. Flynn, C. Colleran Molloy, P. Murphy, P. Daly, J. Cooney, P. Burke, A. O’Callaghan, T. O’Brien, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, S. Talty, J. Killeen, J. Garrihy, P.J. Kelly, B. Chambers, G. Keating, C. Murphy.

- Mr. Pat Dowling, Chief Executive.
- Ms. Mary McMahon, Administrative Officer, Corporate Services.
- 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. Noeleen Fitzgerald, Director of Finance and Support Services.
- Mr. John Leahy, Senior Engineer, Physical Development.

Present via MS Teams:

Cllrs. A. Norton, P. Hayes and M. Begley.

Apologies: Cllr. L. Grant.

Absent: Cllrs. J. Crowe, P. O’Gorman and I. Lynch.

The Cathaoirleach, Cllr. T. O’Brien presided.

At the outset Cathaoirleach, Cllr. T. O’Brien congratulated Cllr. P.J. Kelly on receiving a Long Service Award at the AILG Conference last week.

Item 21. Investment in off-shore renewables in Clare.

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

“To ask the Director of Service for Planning and Economic Development; that given the extremely significant future investments that will be made in off-shore renewables in Clare, and in the absence of rates income for these off shore developments, what mechanisms might be available to the council under planning legislation that could deliver added income through development levies for the provision of housing,

amenity, waste, roads and other infrastructure necessary to ensure our communities can capitalize on this increased economic activity.”

Liam Conneally, Director of Economic Development replied as follows:

“Section 48 of the Planning and Development Act requires planning authorities to have a development contribution scheme in place to set out the basis for contributions payable in respect of public infrastructure and facilities benefitting development in the area of the planning authority. The current Development Contribution Scheme 2017 – 2023 was adopted by the members on 24th April 2017 and through the Economic Development Strategic Policy Committee (S.P.C.) preparatory work has already commenced on the new Scheme. A full review of contributions payable for all types of development will be undertaken as part of the preparation of the new Scheme which, subject to adoption by the Members, will come into effect in 2023.

The Maritime Area Planning (M.A.P.) Act 2021 defines the nearshore area for coastal planning authorities as an area extending three nautical miles (5.6km) from the nearest point of the high-water mark so the new development contribution scheme will provide for contributions payable for developments on land and on this 5.6km nearshore area. Offshore renewable energy projects are unlikely to be developed within the nearshore area, however offshore renewable projects will need to bring electricity generated to land to connect to the national grid and there will be a requirement for other development on land (assembly of wind turbines, dry ports, wet ports, green hydrogen electrolysis facilities, etc) to support any offshore developments. This category of development will be considered in the preparation of the new development contribution scheme and a basis for levying contributions will be included in the 2023 Scheme.

In addition, it should also be noted that any strategic infrastructure development (S.I.D.) applications made under the M.A.P. Act to An Bord Pleanála may also be subject to the payment of development contributions. In this regard, the M.A.P. Act amended the Planning and Development Act 2000 by inserting a new Section 293 into the Act. Section 293(7) (n) provides that when granting permission, An Bord Pleanála, may attach a condition requiring:

“the construction, or the financing (in whole or in part) of the construction, of a facility that, in the opinion of the Board, would provide a substantial gain to the community, or the provision, or the financing (in whole or in part) of the provision, of a service that, in the opinion of the Board, would provide such a gain, in the area in which it is proposed to carry out the development”

In addition, Section 293 (7) (o) of the Act also provides for conditions “requiring the payment of a contribution in respect of public infrastructure and facilities benefitting development in the functional area of any coastal planning authority in which the development concerned is (in whole or in part) proposed to be situated”.

In the above regard I consider that there are sufficient mechanisms in legislation to deliver community benefit from all future strategic infrastructure development proposals on and off the coast of Co. Clare.”

The elected members felt that given the scale of potential projects in offshore development that a key action would be to establish a working group in advance to examine the potential benefits for the local communities consisting of community representatives, developers, elected members and officials. The members believed

that guidelines will have to be in place, as once operational these developments will generate community funds that will have to be delivered honestly and fairly.

L. Conneally, Director of Economic Development noted the members comments and agreed that a governance structure will have to be established in relation to benefits when the developments come to pass. Mr. Conneally also noted that preparatory works will need to be done in relation to dry and wet port facilities and other facets of deep water in terms of shipment and development opportunities. Mr. Conneally advised that information on this subject will be provided to the members when the next development contribution scheme is being prepared.

Item 22. Naming roundabouts in Clare.

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

“That Clare County Council examine the feasibility of naming the various roundabouts in the county after famous people, historic events or local landmarks with a view to enhancing the marketability of the county for tourism and benefit of Shannon International Airport”.

Leonard Cleary, Director of Rural Development replied as follows:

“Clare County Council is fully committed to the implementation of the objectives in the “Clare Tourism Strategy 2030”. The Council’s Tourism Department leads on this implementation which is supported across all Directorates. The Council will pursue every opportunity to market County Clare nationally and internationally and Shannon Airport as the gateway to Clare. The Strategy draws heavily on the rich heritage of Clare including famous people, historic events and local landmarks. Four experiential themes encapsulate what we can do best to make Clare stand out in our markets and to deliver on our tourism promise:

- Experience our holistic landscapes
- Explore our high towers and high powers
- Pursue our adventure and family fun
- Celebrate our creative vitality

The naming of roundabouts, new roads /streets and monuments is a function entrusted to the Placenames Committee, who would need to be consulted on this motion.”

The elected members supported the suggestion that artwork or signs highlighting symbols of what the area represents would be placed at various roundabouts. The members felt that as tourism is such an important part of our economic wellbeing, it is important that areas are easily identified.

P. Dowling, Chief Executive referred to the KPMG Womens Irish Open golf event taking place this week in Dromoland which is a major event for the county. Mr. Dowling stated that Clare County Council is working closely with Dromoland to ensure this event is a success. Mr. Dowling advised that Clare County Council have a section in the tented village in Dromoland showcasing local artisan products.

Mr. Dowling stated that roundabouts were used very successfully in the past when Ennis hosted Fleadh Cheoil na hÉireann and during the Dubai Irish Open Golf event in Lahinch. Mr. Dowling noted that there are obligations in relation to bio-diversity and that this has to be treated sensitively.

Mr. Dowling agreed that this initiative merits further investigation and undertook to examine this with his colleagues in Rural and Economic Development.

Item 23. Active Travel/Sustainable Travel Officer.

Ar moladh Cllr. P. Murphy

Cuidithe ag Cllr. S. Talty agus glacadh leis

"I am again requesting that funding is sourced so that an Active Travel/Sustainable Travel Officer can be appointed by Clare County Council to support the work already being carried out by the Road Design Team. I am also asking for a breakdown of how much monies have been drawn down under Active Travel since the inception of this funding stream, what projects have been completed, what projects have commenced and what projects have been approved but haven't started yet".

Conor McDonagh, Executive Engineer, Physical Development replied as follows:

"Clare County Council has made a submission to the National Transport Authority (N.T.A.) for additional resources including for an Active Travel Officer. We await a response from the N.T.A. in this matter.

The following is a breakdown of the funding spent to date:

- 2021: €1.26m
- 2022: €1.35m

The following is the projected spend to year end:

- 2022: €4.5m

The following projects have been completed to date:

- New footpaths in Kilrush, Miltown Malbay, Doolin and 14 other towns and villages throughout west Clare
- New footpaths and pedestrian crossings in Quin, Kilmurry and Clonmoney
- New pedestrian crossings in Boston and Ruan
- New public lighting in Lahinch
- New shared walkways at Shannonbanks
- New footpaths at Ballybeg and Cappahard in Ennis
- Assessment of 'park and stride' locations in Ennis

The following projects are ongoing:

- Upgraded walking facilities for St. Flannans National School, Inagh under 'Safe Routes To School'

- New footpaths and pedestrian crossings in Spanish Point, Shannon, Sixmilebridge, Meelick, Tulla, Killaloe and Dromindoorra
- Five new pedestrian crossings in Lisdoonvarna
- New pedestrian crossing at Eire Og, Ennis to facilitate the ‘walking bus’ to Ennis National School
- Design of upgraded cycling facilities in Ennis
- Upgraded pedestrian permeability through Ennis town
- Preparation of an Area Based Transport Assessment (ABTA) for Ennis
- New public lighting for Ballybeg and Peoples Park in Clarecastle
- Discussions with NTA on Options Selection phase for provision of footpaths throughout Lissycasey village

The following projects have yet to commence:

- Upgraded permeability measures at narrow bridges throughout the county
- New linkages from Ardnacrusha to Athlunkard
- Upgraded light segregation of cycling lanes in Ennis
- Option Selection phase for provision of new cycling facilities on N85 Ennis bypass
- Upgraded walking facilities for Holy Family and Gaelscoil under ‘Safe Routes To School’

The elected members welcomed the news that a submission has been made in relation to the recruitment of an Active Travel Officer in Clare County Council. The members welcomed the work ongoing on the active travel initiatives which has been positively transformative for the areas involved.

John Leahy, Senior Engineer, Physical Development stated that this has provided an opportunity for Clare to deliver projects as several schemes are ready to commence. Mr. Leahy informed the members that this is a five-year rolling programme and when projects are not complete an application can be made to include them the following year and this has been looked at positively by the Department. Mr. Leahy provided an update on funding to date and continued that there will be additional projects which will give further funding opportunities going forward and it is hoped to develop a second five-year programme also.

Item 24. Council’s expenses to outside consultants.

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

“I am calling on the Chief Executive to be aware of the economic crisis affecting the citizens of Clare and to reduce the Council’s expenses to outside consultants. I am requesting where possible that this work is carried out by suitably qualified employees of Clare County Council. I am hopeful that the Chief Executive Officer can address this spiralling cost to Clare County Council’s Annual Budget.”

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

“Over the past number of years, the level of expenditure budgeted on professional fees and consultancy in the revenue account has remained static. This council has commenced the draft Budget 2023 process with a planned budget date proposed for late November 2022. It is evident as we move into the final months of 2022 that this council faces many challenges due to global markets and the significant impact of inflation. Of most concern are the rising costs of energy and the impact this has on the finances of the Council and its ability to deliver services. This is explained further to members in the Interim Financial Report to members and the Local Property Tax (Local Adjustment Factor) report, both presented to members as part of the September 2022 Council meeting.

Efficiencies across all expenditure areas including consultancy and professional fees will form part of this draft budget process, with the Corporate Policy Group meeting with the Chief Executive and Directors of Services to draft budget 2023 for presentation to all members for their consideration.

Consultancy and Professional fees in 2021 to the Revenue account was €742k (0.88% of non-pay expenditure in 2021). Of this total, €275k was recouped from several entities as it related to specialist services that this council does not have employed as there may not be a regular full time need for the service. These recoupments include for example part-time veterinary fees which will soon transition to the Department of Agriculture and also undertaker and state lab fees, the latter in relation to the provision of coroner services in the county. The reasons for the use of external consultants by Clare County Council are multifactorial. Expertise is procured from a combination of in-house expertise from experienced staff and/or outsourced services where the work may be once off and may not warrant the permanent skill in house over the long term, or where there is a specialist requirement for these works.”

The elected members noted that a substantial amount of money is being spent on consultancy fees and they believed that there are staff in Clare County Council who have the expertise and are capable of carrying out this work.

The members felt that every euro spent by the Council is spent for the good of the people living in the county and that complex planning and complex consultation projects have to be ready when applying for funding. It was also believed that consultants bring the expertise to perform the task at hand and the members expressed confidence that when contracts are awarded that due diligence is in place.

P. Dowling, Chief Executive stated that Clare County Council will always make every effort to find efficiency and value for money in what we do and that this is a measure of the scale of activity, productivity and range of initiatives that the Council are developing across the county.

Item 25. Subsidise IVF costs.

Ar moladh Cllr. A. Norton

Cuidithe ag Cllr. M. Howard agus glacadh leis

“I ask Clare County Council to write to the Minister for Health to consider IVF should be free or heavily subsidised and provided by the H.S.E.”

The elected members noted that 1 in 4 couples struggle to conceive and this is an issue that creates huge anxiety and stress for couples who need sympathy and financial support as IVF is a very expensive treatment. The members agreed that regulatory of clinics providing this treatment is necessary.

Item 26. Garda vetting process.

It was agreed that this item be deferred until the October Council meeting.

Item 27. Wastewater infrastructure.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That Clare County Council in the interest of rural repopulation of 51 Clare towns & villages with wastewater infrastructure deficiency request the Government also on public health and environmental grounds to financially subsidise the provision of developer provided wastewater infrastructure to appropriate E.P.A. set standards with the aim to subsequently those be taken in charge.”

During discussion the elected members noted that there are 51 towns and villages in County Clare without proper infrastructure and therefore have no opportunity to develop. The members felt that it is important that if developer provided wastewater infrastructure units were allowed that they comply with proper E.P.A. standards. The issue of ongoing maintenance of these wastewater infrastructure units was discussed. The members expressed concern that land in areas without adequate infrastructure will be de-zoned in the Draft County Development Plan to the detriment of these rural towns and villages as they will de-populate.

P. Dowling, Chief Executive stated that any means to solve the challenges of unsewered settlements should be considered and advised that this can be debated at the Draft County Development Plan workshop scheduled to take place in the coming days.

Item 28. An Bord Pleanala.

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

“We ask Clare County Council to communicate with the Minister for Local Government with a view to dismantling An Bord Pleanala and replacing it with a competent authority.”

The elected members provided examples of projects that have been delayed for an unacceptable length of time as they await a decision from An Bord Pleanala. The members felt that the credibility and governance structure of An Bord Pleanala has been exposed and as there is no statutory timeline for decisions this is affecting development and progress in our country. The members felt that the Minister needs to intervene and appoint a credible organisation.

Item 29. Staffing levels at Ennis injury unit.

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

“Following the closure of the Ennis injury unit on August 20th on short notice. I call on Clare County Council to ask the Minister to put in place a contingency plan to ensure staffing levels are in place, so we don't have a reoccurrence of the closure of the Ennis injury unit.”

The elected members agreed that Ennis Injury Unit provides a fantastic service and felt that it should be adequately staffed so that it can continue to provide an effective service to the people of Clare. It was agreed that this notice of motion would be circulated to Clare Oireachtas Members.

Item 30. Air link between Chicago O'Hare Airport and Shannon Airport.

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

“That this Council request that the Shannon Airport Authority investigate the possibility of re-establishing an air link between Chicago O'Hare airport and Shannon airport, as I feel this would benefit tourism in the Clare area.”

The elected members stated that during their recent visit to Milwaukee as part of the Clare Tourism delegation they received numerous enquiries about direct flights from Chicago to Clare as people want to visit the west of Ireland. The members felt that direct flights from Chicago to Shannon Airport would be economically viable as there is a huge Irish diaspora in Chicago and Milwaukee.

Item 31. Multi Annual Rural Water Programme.

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

“Due to challenges faced by residents on Group Water Schemes during the drought conditions this year, and the likelihood of similar events in the future. I appeal to Clare County Council to request an update from the Department of Housing, Local Government and Heritage on the expected date for the announcement of the Multi Annual Rural Water Programme in order to progress rectifying these issues.”

The elected members stated that they are aware of the challenges endured by residents on group water supply schemes during the recent dry spell and expressed concern in relation to their vulnerability. The members commended the volunteers who manage these group water schemes and agreed that the Government need to act immediately to support them. The members also complimented Clare County Council for the support given to people on the schemes affected.

P. Dowling, Chief Executive undertook to pursue this immediately and revert back to the Councillors when clarity is received.

Item 32. Comhfhreagras/Correspondence.

L. Conneally, Director of Economic Development addressed the meeting and referred to correspondence dated 26th August, 2022 from the Department of Housing, Local Government and Heritage in relation to proposal received by the Minister dated 24th January, 2022 for the designation of lands as the South Clare/UL Economic Strategic Development Zone. Mr. Conneally noted that the Department acknowledges the strategic importance of the University of Limerick as a key driver of innovation, economic development and knowledge-based economy in the Mid-West. While the work undertaken to date by Clare County Council and University of Limerick in advancing the proposal was acknowledged, the Department sought further detail in respect of the “specified development” envisaged for the SDZ so that the Department can satisfy themselves that the proposed SDZ will be of economic or social importance to the State and that a clear framework is capable of being put in place to deliver the anticipated benefit of the SDZ designation.

The correspondence continues that there is a need to address the proposal within the context of the broader Limerick-Shannon Metropolitan Area Strategic Plan and to address matters relating to infrastructure delivery and other critical factors for the successful delivery of the SDZ.

The correspondence states that consideration could be given to the preparation of a Local Area Plan.

Mr. Conneally informed the members that a response is being finalised which will mention the inclusion of the SDZ in the County Development Plan and that the proposed SDZ is a national enabler as set out in the published Limerick-Shannon Metropolitan Area Strategic Plan. Mr. Conneally felt that the LAP request be addressed when the SDZ is a RSES priority and that post designation the detail requested will form part of the Planning Scheme. Mr. Conneally informed the members that he will be seeking a meeting with the Ministers Officials in relation to this request and that he has been meeting with University of Limerick Officials in relation to the reply being finalised.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 6th September, 2022 from the Department of Housing, Local Government and Heritage in relation to social housing support income threshold bands.
2. Correspondence dated August, 2022 from the Department of Housing, Local Government and Heritage in relation to the Electoral Reform Act 2022.
3. Correspondence dated 26th August, 2022 from the Department of Housing, Local Government and Heritage in relation to proposal received by the Minister dated 24th January, 2022 for the designation of lands as the South Clare/UL Economic Strategic Development Zone.
4. Correspondence dated 7th July, 2022 from the Department of Social Protection in relation to artists with disabilities and the basic income for the arts pilot scheme.

5. Correspondence dated 6th July, 2022 from the Department of Housing, Local Government and Heritage in connection with the Local Property Tax allocations for 2023.
6. Correspondence dated 28th July, 2022 from the Department of Children, Equality, Disability, Integration and Youth in relation to the pay and working conditions for practitioners in early learning and childcare services.
7. Correspondence dated 18th July, 2022 from the Department of Housing, Local Government and Heritage in relation to moratorium on evictions and for income thresholds for social housing to be reviewed
8. Correspondence dated 16th August, 2022 from the Minister for Housing, in relation to income thresholds for social housing.
9. Correspondence dated 19th July, 2022 from the Department of Health in relation to talk therapies for young people.
10. Correspondence dated 17th August, 2022 from the Department of Health in relation to waiting times for gynaecological appointments at Ennis Hospital.
11. Correspondence dated 4th September, 2022 from the Department of Children, Equality, Disability, Integration and Youth concerning availability in the early childcare sector.
12. Correspondence dated 3rd August, 2022 from Transport Infrastructure Ireland in relation to toilets/parking facilities on the M18 in Clare.
13. Correspondence dated 26th August, 2022 from the Office of the Minister for Agriculture, Food and the Marine in relation to issues facing farmers and measures to protect Irish family farm incomes.
14. Correspondence dated 25th August, 2022 from the Department of Rural and Community Development regarding the carrying out the necessary excavation works to recover the remains at the invicibles yard at Kilmainham Gaol.
15. Correspondence dated July, 2022 from the President of the County Clare P.B. & S. Association of New York City inviting the Chief Executive and Cathaoirleach to attend the 133rd Anniversary Dinner Dance in New York.
16. Correspondence dated 12th July, 2022 from Deputy Cathal Crowe in relation to income thresholds for social housing in Clare.
17. Correspondence from Deputy Joe Carey in relation to income thresholds for social housing in Clare.
18. Resolution circulated by Wexford County Council in relation to the provision of long covid clinics.

Conferences.

Reports on Seminars/Conferences attended.

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

AILG Elected Members Training entitled “Finance Act 2021” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 7th – 9th January, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €92.30 including conference fee of €100.

It was agreed that Cllrs. J. Crowe and T. O’Brien attend this Conference.

AILG Elected Members February 2022 Module 1 Training entitled “Elected Members Personal Safety and Risk Assessment” being held in the Clayton Silver Springs Hotel, Co. Cork on 19th February, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €56.12 including conference fee of €65.

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

Development Plan Training Conference being held in Castlecomber, Co. Kilkenny on 18th June, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €76.29 including conference fee of €70.

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

AILG Elected Members Training - Module 4 entitled “Local Authority Audit Committees and the Governance and Oversight Role of Elected Members” being held in the Allingham Arms Hotel, Bundoran, Co. Donegal on 23rd July, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €25.39 including conference fee of €70.

It was agreed that Cllrs. P. Daly, T. O’Brien, P. McMahon, G. Keating and P.J. Ryan attend this Conference.

AILG Elected Members Training - Module 4 entitled “Local Authority Audit Committees and the Governance and Oversight Role of Elected Members” being held in the Horse & Jockey Hotel, Thurles, Co. Tipperary on 27th and 28th July, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €64.59 including conference fee of €70.

It was agreed that Cllrs. P.J. Kelly and C. Colleran Molloy attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____