

**Minutes of the February Monthly Meeting of Clare County Council held in the
Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on
Monday, 10th February, 2014 at 3:45 p.m.**

Present:

Councillors J. Flynn, P. Murphy, S. Scanlan, P. Daly, T. Brennan, J. Breen, T. Mulqueen, T. McNamara, B. Slattery, M. Hillery, R. Nagle, J. Arkins, J. Cooney, P. Hayes, P. Burke, P. Fitzgerald, M. Begley, C. Crowe, C. Curtin, O. Garry, P.J. Kelly, P. Keane, B. Chambers, G. Keating, J. Crowe, S. McLoughlin, P. McCarthy, P.J. Ryan, P. McMahan, G. Flynn.

- Mr. Tom Coughlan, County Manager.
- Mr. Michael McNamara, Meetings Administrator.
- Mr. Finbar Tuohy, Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Ms. Bernadette Kinsella, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Mr. Tom Tiernan, Senior Engineer.
- Mr. Paul Moroney, Acting Senior Engineer.
- Ms. Caroline O'Connor, Management Accountant.
- Ms. Carmel Greene, Senior Executive Officer.

Apologies: Cllr. B. Meaney and Cllr. M. Kelly.

The Mayor, Cllr. Joe Arkins presided.

Votes of sympathy.

At the outset a Vote of Sympathy was extended to the Nash family Scariff on the death of Barry following a road accident.

Item 1: Minutes of Council Meetings.

- a. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. T. Brennan agus glacadh leis

“That the Minutes of the 2014 Budget Meeting of Clare County Council held on 8th January, 2014 be adopted and signed.”

b. Ar moladh Cllr. T. Brennan
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 10th January, 2014 be adopted and signed.”

c. Ar moladh Cllr. T. Brennan
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the January Monthly Meeting of Clare County Council held on 13th January, 2014 be adopted and signed.”

Item 2: Minutes of the Electoral Area Meetings.

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

“That the Minutes of the Kilrush Electoral Area Meeting held on the 4th November, 2013 be noted.”

b. Ar moladh Cllr. T. McNamara
Cuidithe ag Cllr. J. Breen agus glacadh leis

“That the Minutes of the Ennis West Electoral Area Meeting held on the 11th November, 2013 be noted.”

c. Ar moladh Cllr. T. Brennan
Cuidithe ag Cllr. P. Daly agus glacadh leis

“That the Minutes of the Ennis East Electoral Area Meeting held on the 11th November, 2013 be noted.”

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

“That the Minutes of the Shannon Electoral Area Meeting held on the 20th November, 2013 be noted.”

e. Ar moladh Cllr. M. Begley
Cuidithe ag Cllr. J. Cooney agus glacadh leis

“That the Minutes of the Killaloe Electoral Area Meeting held on the 20th November, 2013 be noted.”

Item 3: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 6th January, 2014 as presented.

Item 4: Update on Storm Damage.

Preliminary Storm Damage Report (No. 2) was circulated to the elected members prior to the meeting.

The report outlines the €36.8 million damage to Infrastructure both coastal and inland. This figure has been revised upwards from €23.7 million since the initial report prepared on 10th January 2014. The report gave a breakdown of the figures by area and it includes a contingency sum equivalent to 10% to cater for design costs, damage reports not yet available and a variety of other elements. A copy of the updated report is to be forwarded to the Department of the Environment, Community and Local Government following consideration of the elected members.

The County Manager stated that €750,000 has been spent to date on remedial works and as of yet no confirmation has been received as to whether these monies will be re-imbursed or what allocation will be given to the Council for capital programmes going forward.

The Mayor thanked the County Manager for his detailed report and opened the debate to the floor. Queries were raised in relation to sluices, embankments etc. and who are responsible for same, what budget is the €750,000 coming out of, are costings being done in-house or by a consultant, what is the situation if works have to be carried out in an S.A.C.?

The members also thanked the Management and staff of Clare Local Authorities for all their work and dedication over the past few weeks under very trying circumstances in attending to the fallout from the weather conditions.

The County Manager and Senior Engineer, Tom Tiernan, wished to be associated with praise for the Council staff who have worked in extremely difficult conditions and responded to the queries by stating that it is not clear where responsibilities lie in relation to sluices, embankments etc. and that the Council would need clarification in this regard. The €750,000 has not been taken from a particular budget but will have to be repaid if no funding is received from Central Government. The costings in the report have been prepared in-house to date but outside expertise / consultants will have to be used going forward. In relation to works in S.A.C.s, an assessment has to be carried out first before works commence and consultation is required with other agencies such as the N.P.W.S.

As time had now reached 5:45 p.m. it was agreed by the members present to continue discussion on the Headed Items to complete same.

The Mayor confirmed that the C.P.G. has written to the Minister for Environment, Community and Local Government in relation to this issue and the following resolution was agreed by all the members present having been proposed by Cllr. G. Flynn and seconded by Cllrs. C. Curtin, M. Begley, J. Flynn and P. Burke:

“That Clare County Council as a matter of urgency request that clarification be established to clearly identify the responsibility of the various agencies responding to storm and flood damage and the provision of coastal and tidal protection.”

Item 5: Presentation by Shannon Venue Project at 2:45 p.m.

The Mayor welcomed Eoin Hoctor, Derek Barrett, Oliver Hurley, Shannon Venue Ltd. and Mike Guiney, EI Electronics, to the Chamber and invited them to give their presentation.

The presentation outlined how Shannon with a permanent population of 10,000 people and approximately another 10,000 workers commuting every day currently does not have any centre for the Arts / Community. The aim of this project is to deliver a debt free multi functional theatre in the centre of Shannon that will be available for anyone. It is expected to cost in the region of 4 to 7 million euro of which €750,000 has already been collected.

The biggest issue for the centre going forward is the annual estimated €1.2 million operating costs and it is hope to have the centre completed by 2016 – 2017.

The presenters stated that they hoped that the Council will be able to assist with advice, support and possible funding as it is very important that Shannon has a venue of this type which will be of great benefit both for the town and the surrounding areas.

Cllrs. P. McCarthy, P.J. Ryan, P. McMahon, S. McLoughlin, G. Keating and G. Flynn all welcomed the project and pledged support for it going forward.

Item 6. Burial Ground Grants Scheme.

Ar moladh Cllr. M. Hillery
Cuidithe ag Cllrs. C. Crowe agus P. Keane agus glacadh leis

“That Clare County Council would accept receipts under the Burial Grounds Grants Scheme for a 12 month period commencing on 1st October each year.”

Gerard Dollard, Director of Services replied as follows;

“The Burial Ground Priming Grant Scheme affords the Council the opportunity to acknowledge the valuable work undertaken by voluntary groups around the County. A grant of up to a maximum of €600 or 90% of the cost is available under the Scheme.

The Scheme will be advertised with a July deadline for receipt of applications. Receipts during the period October 2013 and September 2014 will be taken into account for the purposes of assessing grant payment before year end.

The matter will also be discussed with the S.P.C. in the context of the general review of management and maintenance of burial grounds.”

Item 7. Services within Clare Local Authority.

Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. C. Crowe agus glacadh leis

“To ask the County Manager the status of the following services within Clare Local Authority:

- Higher Education for the next 2 to 3 years
- Water Services
- 12 year Service Level Agreement
- Payroll

What shared services have Clare County Council tendered for?”

Caroline O’Connor, Management Accountant replied as follows:

“Higher Education Grants

S.U.S.I. (Student Universal Support Ireland) - the national authority for education grant applications started accepting new applications in 2012 for 2012/2013 academic year.

The Council continues to assess and pay grants for existing students pursuing primary degree courses or postgraduate – (Masters/Phd) courses until they have completed their current course of study. It is expected that the processing of education grants by the Council will be phased out mainly over the next 2 to 3 years as students finish their courses.

Water Services

Arising from the passing of the legislation for the establishment of Irish Water as a national utility and the second piece of legislation passed in late 2013, Clare County Council is now providing the water services functions in the County as an agent of Irish Water. The budget for water services for 2014 has been set by Irish Water. The first payment of working capital has been received from them.

12 year Service Level Agreement

The Service Level Agreement was signed in late December 2013 and sets out how the various elements of the service will be operated and the responsibilities of both parties. The transition process will take considerable time as there will be new protocols and procedures to be put in place in conjunction with Irish Water. However, it is the objective of both parties to maintain continuity of services to the public at the optimum standard.

Payroll

In September 2013 Laois County Council was selected to provide shared payroll and superannuation services on behalf of all Local Authorities.

Laois County Council has commenced setting up the shared service on a phased basis. It is planned that 10 councils will go live on the system in 2014, with the remaining counties going live in 2015. It is expected that Clare will be part of the 2015 implementation phase.

It is also envisaged that certain functions, such as keying time sheets, will be retained locally by the Council.

The successful delivery of the shared services which have been the subject of tenders to date require significant human resources and/or specific expertise. Clare County Council has significantly reduced staffing numbers in recent years and has concentrated on the maintenance of local authority services within the county. While a number of counties are geographically located which facilitates re-deployment of staff between local authorities, such re-deployment is not easily facilitated in the case of County Clare. Therefore, having regard to the reduced staffing levels, the objective to maintain existing services and the difficulties associated with re-deployment of staff from other authorities, Clare County Council has not tendered to date to deliver a national shared service. This situation is constantly under review and, should an opportunity arise to tender for a shared service which would be appropriate for the organisation, a bid may be made to deliver such a service. Clare County Council would not wish to be associated with delivering a service which would not be fit for purpose.”

Item 8. Brian Boru Anniversary.

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

“Noting that the 23rd of April next, marks the 1000th anniversary of the death of Brian Ború, whose march to Clontarf began from Kincora Killaloe, I propose that the April meeting of Clare County Council take place in Killaloe as Kincora was the seat of power for Clare and the administrative capital of Ireland at the time - and that Clare County Council write to An Taoiseach requesting that the cabinet meet in County Clare in 2014 to mark the millennium of Brian’s death.”

Item 9. Tidal and Coastal Protection Management.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllrs. C. Curtin agus O. Garry agus glacadh leis

“That Clare County Council urgently prepare a Strategic Tidal and Coastal Protection Management request for Government and/or E.U. funding to include, inter alia, for the following;

A. Construction of sustainable protection to the Clare "Soft Coastline" and harbours, piers slipways, etc. identified as at risk in the 1992 "Coastal Management - A case for action" report prepared by the City and County Engineers Association. (e.g. Report found that at 1992 cost circa £14 million needed to protect 53 km. identified as at risk out of 184 km. soft coastline)

B. Reconstruction of Shannon and Fergus estuary and tidal embankments at risk due to increased heights of tidal surges due to Climate change and increased frequency of storms at sea. In particular but not exclusively in Shannon Airport area.

C. Reconstruction and protection on climate change adaptation grounds of essential public infrastructure such as Clarecastle Tidal Barrage & it's associated flood defences, water and sewerage treatment plants, etc.”

Tom Tiernan, Senior Engineer, Transportation replied as follows:

“While the objectives and the intent of this Notice of Motion are appropriate given the devastation which has occurred along both the soft and hard components of the County’s coastline over the past number of weeks I feel that the following points are equally pertinent and should be considered in the context of whatever emerges on foot of this Motion.

- The Councils primary focus right now must be on securing funding with a view to restoration of all public infrastructure and associated coastal defences (both man-made and natural) so that they can become available again for public use to their fullest extent as soon as possible. As Councillors are aware the costs involved here are considerable and procurement of funding in this context must be regarded as priority with a view to ensuring that the tourism agricultural fisheries and other components of the County’s economy are not compromised
- There is a lack of clarity regarding who or what agencies are responsible for coastal infrastructure and maintenance management of the coastline in general. The Local Authority is responsible for public roads, tourism and associated defence infrastructure along the coast. Outside of this there is a lack of clarity regarding who is responsible for what – while the Office of Public Works acknowledges and takes responsibility in certain circumstances there is confusion otherwise along very significant sections of the coastline regarding whether private property owners the O.P.W. or some other body is responsible.
- Part C of the Motion effectively relates to flood management in the Ennis area. As Councillors are aware significant works have been carried out by both the Office of Public Works and the Local Authority in terms of development of flood relief schemes over the past 7 to 10 years. Notwithstanding the fact that no guarantee can be given regarding the success or otherwise of flood relief schemes defending successfully against all future severe events, climate change is taken into account in the design of such schemes. Apart from the development of a number of relatively modest schemes around the periphery of Ennis the first phase of the town centre scheme has been completed since 2009 the second phase is approximately 75% completed at present and the main outstanding schemes are the Ennis South Scheme (St. Flannans Ballybeg and surrounding areas) and a smaller Scheme on the north side of the town at Fior Uisce – both of which are close to being ready to go to construction.

Given the foregoing I feel that the aspirations set out in this Motion should, realistically, be considered to be medium rather than short term in context.”

The following was proposed by Cllr. J. Flynn, seconded by Cllrs. O. Garry and C. Curtin and agreed by those present

“The Preliminary Flood Risk Assessment (P.R.F.A.) 2011-2015 being carried out by the O.P.W. is a requirement of the E.U. “Floods” Directive 2007 which was transposed into Irish law by Statutory Instrument S.I. No. 122 of 2010.

Clare County Council in light of the recent Coastal, Tidal and Fluvial flooding experienced throughout the County is of the opinion that the data, risk assessment, etc. within the P.R.F.A. with regard to Clare is outdated and may be incomplete due to possible omissions.

As a consequence Clare County Council forthwith request the Minister of State with responsibility for flooding (Minister Brian Hayes) to

Instruct the O.P.W. as the Irish “competent authority” under the “floods” Directive to carry out a full re-assessment of the P.R.F.A. throughout Clare in terms of the probability and degree of flooding (the “hazard”) and the damage caused by the flood (the “consequences”) and to do so in partnership with its consultees in the process such as E.S.B., Department of Agriculture, Department of the Marine, Department of Environment, Clare County Council, Shannon Airport Board, Land Commission (if still in existence), N.P.W.S., etc.

Recall the O.P.W. and their relevant agencies, particular in Coastal flooding and erosion, to attend the next Statutory Clare County Council meeting to outline their response and plan of action to ensure the best possible outcomes for Clare in terms of access to funding streams nationally and at E.U. level when Flood and Erosion Risk Management Plans are finalised by December 2015.”

It was proposed to extend the meeting to 19:30 p.m. in order for all items to be dealt with and this was agreed by all members present.

Item 10. Costs of legal proceedings.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. J. Breen agus glacadh leis

“Could information be provided for debate concerning

- The cost to the Council for the issuing of warning letters and enforcement notices for the year’s from 2010 to 2013.
- The cost to the Council of legal proceedings during the same years.
- How much of these costs were re-couped by the Council following the process.
- What efforts are made by Clare County Council to determine the legitimacy of the issuing of such notices based on possibly vexatious complaints that could compromise employment or other activity and lead to undue stress and expenses to the public.”

Gerard Dollard, Director of Services replied as follows:

- The costs incurred by Clare County Council in taking enforcement action is the time spent by staff in the investigation of complaints, site visits, reports and administrative support. These duties would be part of the daily work programme of staff working in the area of planning enforcement. The payroll budget for the planning enforcement function in 2013 was €504,462.
- Where legal proceedings were initiated for non-compliance with Enforcement Notices during the period 2010-2013, the legal costs incurred by the Council were €12,542. There are cases that were initiated during the period but have not been concluded so the costs issue has not been dealt with.
- During the period, the Council has been recouped €15,691 which includes costs related to the Council’s own costs in terms of staff, travel etc. It is not possible to do a direct link between legal costs incurred and costs awarded or recouped.
- Section 152(1)(a) of the Planning & Development Act 2000 (as amended) states:

Where a representation in writing is made to a planning authority by any person that unauthorised development may have been, is being or may be carried out, and it appears to the planning authority

that the representation is not vexatious, frivolous or without substance or foundation.....the authority shall issue a warning letter to the owner, the occupier or any other person carrying out the development.....

Such written representations are investigated by the Planning Authority in the first instance and where unauthorised development is deemed to be carried out having regard to the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations, a decision is made to issue a Warning Letter or Enforcement Notice.”

Item 11. Water Charging.

Ar moladh Cllr. B. Meaney

- “What have the Town Council Buildings of Ennis, Kilrush and Shannon been charged for water since the introduction of non-domestic water charging?
- What have the local area offices, libraries and other non-domestic premises and sites in the control of Clare County Council been charged for water since the introduction non-domestic water charging?
- Given that Dáil Constituency offices are exempt from commercial rates, are they exempt from water charges?
- What is the average yearly water usage of Áras Contae an Chláir.
- Is this water being billed?”

Due to the absence of Cllr. B. Meaney this item was not dealt with.

Item 12. Charges at recycling centres and transfer stations.

Ar moladh Cllr. T. McNamara
Cuidithe ag Cllr. P. Keane agus glacadh leis

“Due to the massive increase in the illegal dumping of refuse along roadsides and over ditches onto farmland I call on Clare County Council to reduce charges at recycling centres and transfer stations around the county to encourage people to dispose properly of their refuse.”

Anne Haugh, Director of Service replied as follows:

“Presently there are 3 no. Civic Amenity Sites provided by Clare County Council for use by the public.

It is not possible to reduce the charge for disposing of bags of refuse or recycling at the Civic Amenity Sites on grounds of cost. The fee charged by Clare County Council is €7 per binbag. With the Landfill Levy currently standing at €75 per tonne, the charge of €7 per bag just covers the cost of disposing of the waste received, after adding in the costs of machinery, removal & transport, landfill site gate fees, staff wages, V.A.T., etc.

Under the Waste Management Acts 1996 – 2013, which encapsulate “The Polluter Pays Principle”, it is illegal to subsidise the cost of disposing of waste to landfill, so no scope exists for Clare County Council to reduce the charge.

Any improvement in the situation regarding illegal dumping will have to come from the public awareness, education, policing and enforcement perspectives.

Clare County Council's Waste Enforcement Section has noted that there have been a number of serious dumping incidents in the county recently. Some of these incidents are occurring in litter blackspots, but there are also additional sites of note. Clare County Council has recently purchased a CCTV camera and is currently in the process of locating this camera at suitable sites. There have been incidents where cameras have been either stolen or vandalised in recent times. Clare County Council is writing to householders in areas where there has been regular littering to provide verification of the management of their household waste. Following this there may be further action taken as is necessary. Clare County Council is also liaising with Residents Associations in relation to problem areas. Where landowners have been subjected to illegal dumping on their lands Clare County Council has assisted in the removal of waste. The Presentation of Waste Bye Laws have been finalised and will give additional powers in this area."

Item 13. Delivery of Council Services.

Ar moladh Cllr. C. Curtin
Cuidithe ag Cllr. J. Flynn agus glacadh leis

"That signage marking location and contact details together with adequate resources be provided at each Council Plant Depot (23 identified at January meeting) in the county to enhance their status as support points for delivery of Council Services."

Tom Tiernan, Senior Engineer, Transportation replied as follows:

"In general terms Council depots are used to facilitate storage of materials, management and maintenance of plant, welfare requirements for staff using them and a variety of other related uses. The depots are distributed widely throughout the County so that in practical terms maintenance and other response needs in relation to public infrastructure can be met without delay. While the Council always endeavours to ensure that its depots are as well equipped as possible to meet such needs, there is not a direct public interface facility in them and it is not proposed that there will be a public interface at these locations. The public interface in relation to all matters pertaining to engineering areas management is at area offices the locations of which are well known and sign-posted and which are readily contactable by telephone e-mail etc. Outside of office hours the Councils emergency number is contactable at all times."

Cllr. C. Curtin indicated he was not happy with the reply received.

Item 14. Upgrading Roads.

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

"That Clare County Council outline their plans for maintaining and upgrading local and minor roads throughout the County."

Tom Tiernan, Senior Engineer, Transportation replied as follows:

“The Council has been notified of details of grants which have been approved for the County by the National Roads Authority and the Department of Transport, Tourism and Sport. Over the coming weeks the 2014 Roadworks Programme will be collated and this will contain details regarding maintenance and upgrade proposals across all categories of road in the County. No decision has yet been made by the Department of Transport, Tourism and Sport regarding whether there is to be an allocation this year in respect of Community Involvement Schemes – hopefully there will be clarity in this regard before the Roadworks Programme is completed.”

Item 15. Irish Water.

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

“I am asking the director of services to report on how many employees of Clare County Council have been transferred to Irish Water under the Service Level Agreement. And what are the cost implications for this council. Also how does the director envisage in the future, the format in which public representatives will be able to get information and report faults on behalf of their communities.”

Anne Haugh, Director of Services replied as follows:

“In relation to the first part of the motion, I wish to confirm that no employees have transferred to Irish Water. As agreed under the Service Level Agreement, the staff remain employees of Clare County Council.

In relation to the format in which public representatives will be able to get information and report faults on behalf of their communities, I wish to advise that Irish Water have stated that a dedicated support team for elected representatives has been set up in the contact centre. The contact no. is 1890 278 278 and councillors should then ask for the “Local Representative Support Desk”. Contact can also be made directly by email on localsupport@water.ie

On the non-domestic billing side, Clare County Council will be issuing the water bills for Irish water during 2014 on an interim basis and we will still deal with customers and elected representatives until the revised protocol is in place, which is likely to be mid 2014.”

In response to further queries raised, the County Manager stated that 137 Council staff were working on water services related issues.

Item 16. Shannon Airport.

Ar moladh Cllr. P. McMahon

“That Clare County Council examine the implications for Shannon Airport and this county of the new Regional Structures which could cut off either Galway or Limerick from the Airport Region.”

Due to the absence of Cllr. P. McMahon this item was deferred to the March meeting.

Item 17. Rural Alarm Scheme.

Ar moladh Cllr. P. McCarthy
Cuidithe ag Cllr. S. McLoughlin agus glacadh leis

“That Clare County Council request an update from the Minister's for the Environment and Social Protection on what progress, if any, has been made in the proposal as announced by the Minister for the Environment around budget time (following the withdrawal of the telephone allowance part of the household package) to introduce a Rural Alarm Scheme.”

Item 18. Community Involvement Scheme.

Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. C. Crowe agus glacadh leis

“That Clare County Council request the Minister for Transport, Tourism and Sport to retain the Community Involvement Scheme for 2014 given the success of the Scheme in 2013.”

Tom Tiernan, Senior Engineer, Transportation replied as follows;

“As per the Circular Letter issued within the past two weeks by the Department of Transport, Tourism and Sport in association with the 2014 Non-National Road Grants publication the pilot C.I.S. Scheme which went ahead in 2013 is presently under review within the Department with a view to making a decision regarding whether such a Scheme will go ahead again in 2014. I agree that the Scheme was a success in Clare in 2013 and I have made this point to the Department and I think that the request suggested by this Notice of Motion would be a constructive one.”

Item 19. General Operative Workers.

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

“That this Council would request Minister Brendan Howlin to remove the embargo on the recruitment of General Operative Workers in this local authority.”

Item 20. Rates.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllrs. J. Crowe agus S. McLoughlin agus glacadh leis

“That Clare County Council contact the Minister for Finance and the Enterprise Minister and request them to address the anomaly that exists for businesses in Co. Clare versus the neighbouring counties, in relation to the level of commercial rates that is leading to difficulties for local business survival.”

Item 21. Charities.

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

“Proper Governance of Charity & non-for-profit organisations Sector.

In order to rebuild public confidence in Charities and Not-For-Profit organisations that play important roles in Clare, Nationally and Internationally and to support the contribution that frontline staff, volunteers and public collections make, Clare County Council request urgent Government regulation of the Charities and non-for-profit organisations in receipt of state funding be put in place in the following areas;

- a) greater oversight and accountability of their activities
- b) mandatory code of governance for them
- c) appointment of a Charities Regulator.
- d) use of external benchmarking to determine the appropriate salary levels for chief executives.
- e) mandatory adequate training for directors to assist them perform their duties effectively.”

Item 22. Regulation of Charity Collectors.

Ar moladh Cllr. T. Mulqueen
Cuidithe ag Cllrs. J. Breen agus T. McNamara agus glacadh leis

“To ask the Minister for Justice, Alan Shatter to regulate the professional charity collectors who daily collect money, outside banks/post offices and street corners in County Clare and the incidence of their sales methods on elderly people and the general public.”

Item 23. Common Application Systems.

Ar moladh Cllr. C. Crowe
Cuidithe ag Cllr. J. Breen agus glacadh leis

“That this Council calls on the Minister for Education to disband, where applicable, 'Common Application Systems' for secondary schools and replace them with more equitable admissions systems.”

Item 24. Immigration Bill.

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

“In view of the fact that the Immigration Bill will be coming before the U.S. House of Representatives and the Senate in the next few weeks, that this Council renew its call on the

Taoiseach and the Minister for Foreign Affairs to request President Barack Obama to create the pathway for an amicable immigration package.”

Item 25. Irish Water.

Ar moladh Cllr. T. Mulqueen
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“In light of recent revelations concerning the start up costs of Irish Water and the serious reputational damage caused, I am calling on the Minister for Environment, Mr. Phil Hogan to review the necessity for the utility as it is currently structured.”

Item 26. Green Schools Travel Programme.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. S. McLoughlin agus glacadh leis

“In light of the national average for children cycling to school being just 2% and the success of one Clare National School in raising this to 20% I am requesting that Clare County Council fully endorse and support the “think Green” message being promoted by An Taisce through the Green Schools Travel Programme.”

Item 27. Comhfhreagras.

It was proposed by Cllr. P. Hayes, seconded by Cllr. S. McLoughlin and agreed by all members present that the Mayor accept the invitation to attend the St. Patrick’s Day Parade in New York.

The following correspondence was circulated at the meeting:

- Preliminary Storm Damage Report (No. 2)
- Seminar entitled “Dignity at Work – A Guide to Bullying & Harassment in the Workplace” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 7th – 9th March, 2014.
- Photograph of Councillors taken in October 2013.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 7th January, 2014 from the Office of the Minister for Agriculture, Food and the Marine in relation to the Rural Development Programme.
2. Correspondence dated 15th January, 2014 from the Department of Transport, Tourism and Sport regarding request for an extension of the vehicle heights derogation contained within Statutory Instrument 366 of 2008 – Road Traffic (Construction and Use of Vehicles)(Amendment) Regulations.

3. Correspondence dated 21st January, 2014 from the Health Service Executive in relation to the Medical Assessment Unit in Ennis.
4. Correspondence dated 15th January, 2014 from the Department of Health concerning staffing at Ennis General Hospital.
5. Correspondence dated 29th January, 2014 from Shannon Airport Authority in relation to the introduction of a variety of products and prices in time for the launch of the Ryanair programme in the Springtime.
6. Correspondence dated 15th January, 2014 from the Department of Environment, Community and Local Government in connection with property tax.
7. Correspondence dated 23rd January, 2014 from the Department of Environment, Community and Local Government in connection with emergency funding for flood damage.
8. Correspondence from County Clare Patriotic, Benevolent and Social Association of New York City Inc. issuing an invitation to the Mayor of Clare and the County Manager to attend the Annual St. Patrick's Day Parade in New York in March.
9. Strange Boat Donor Foundation – National Organ Donor Commemorative Garden, Local Authority Support Initiative.
10. Resolution from Kerry County Council in relation to E.U. funding.
11. Resolution from South Tipperary County Council in relation to fee for apprentices attending Institutes of Technology.
12. Conference entitled “Upgrading the National Grid-European Best Practice and Alternative Options” being held in Newpark Hotel, Kilkenny on 14th February, 2014.
13. Training Seminar entitled “Local Authority Employment – Law, Practice and Procedure” being held in the Celtic Ross Hotel, Rosscarbery, Co. Cork on 14th – 16th February, 2014.
14. Training Seminar entitled “Waste Management Legislation – Responsibilities of Local Authorities in disposing and recycling Electrical and Electronic Equipment” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 14th – 16th February, 2014.
15. Training Seminar entitled “Planning Permission – the process and the Elected Member” being held in the Midway (Maldron) Hotel, Portlaoise, Co. Laois on 14th – 16th February, 2014.
16. Councillors Conference entitled “An overview of Irish Water and its functions” being held in the Swift Room, Bewley's Hotel, Newland's Cross, Clondalkin, Dublin 22 on 14th – 16th February, 2014.
17. 25th Annual Tourism Conference entitled “Folklore – Heritage – Tourism” being held in the Falls Hotel, Ennistymon, Co. Clare.
18. Training Seminar for Councillors entitled “Seanad Reform & the Councillor” being held in the Millrace Hotel, Bunclody, Co. Wexford on 20th – 22nd February, 2014.
19. Training Seminar entitled “Local Government Law Update: 2014” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 21st – 23rd February, 2014.
20. Elected Members Training Seminar entitled “Improved protection for Consumers with New Building Regulations which come into effect on 1st March, 2014” being held in The Connacht Hotel, Old Dublin Road, Galway City on 21st and 22nd February, 2014.

21. Training Seminar entitled “Domestic Water Charges – Preparation and Practicalities” being held in the Celtic Ross Hotel, Rosscarbery, Co. Cork on 22nd – 23rd February, 2014.
22. 25th Colmcille Winter School Conference being held at the Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny, Co. Donegal on 21st – 23rd February, 2014.
23. Training Seminar entitled “Wind Turbines – the Pros and Cons” being held in Gleeson’s Town House, Roscommon, Co. Roscommon on 21st – 23rd February, 2014.
24. Conference entitled “Genealogy: Tracing your Ancestors & Family Tree” being held at Scotts Limerick, Ashbourne Avenue, South Circular Road, Limerick on 21st – 23rd February, 2014.
25. Notice of postponement of Historic Metalwork Seminar scheduled to take place on 27th February, 2014 in the Abington Enterprise Centre, Murroe, Co. Limerick.
26. Inaugural Boyne Valley Tourism Conference being held in the City North Hotel on 27th - 28th February, 2014.
27. Training Seminar for Councillors entitled “Local Elections 2014: Process: Proportional Representation System” being held in the Carlton Hotel, Church Road, Tyrrelstown, Blanchardstown, Dublin 15 on 27th - 28th February, 2014.
28. Association of Irish Regions Seminar 2014 entitled “Ireland’s Regions Looking to the Future” being held in Kilronan Castle, Ballyfarnon, Co. Roscommon on 28th February, 2014.
29. Training Seminar for Councillors entitled “Budgets and Financing of Local Authorities” being held in the Talbot Hotel, Wexford on 28th February - 1st March, 2014.
30. Elected Members Training Seminar entitled “Educating to drive the economy” being held in the Connacht Hotel, Old Dublin Road, Galway City on 28th February - 1st March, 2014.
31. Training Seminar entitled “Local Elections – the process and the count” being held in Killarney Court Hotel, Killarney, Co. Kerry on 28th February – 2nd March, 2014.
32. Training Seminar entitled “Managing Diversity in the Community” being held in the Celtic Ross Hotel, Rosscarbery, Co. Cork on 28th February – 2nd March, 2014.
33. Training Seminar entitled “A Guide to E.U. Education Programmes” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 28th February – 2nd March, 2014.
34. Association of County & City Councils Annual Conference being held in the Slieve Russell Hotel, Co. Cavan on 6th - 7th March, 2014.
35. Training Seminar for Councillors entitled “Alternative Energy & Local Government” being held in the Falls Hotel, Ennistymon, Co. Clare on 6th – 8th March, 2014.
36. Elected Members Training Seminar entitled “Empowering Communities through Local Government Policy” being held in the Connacht Hotel, Old Dublin Road, Galway City on 7th - 8th March, 2014.
37. Councillor Seminar entitled “Poverty & Migration in Ireland today- overview of contemporary facts and figures” being held in Bunratty Castle Hotel, Bunratty, Co. Clare on 7th - 8th March, 2014.
38. Training Seminar for Councillors entitled “Media Skills for Councillors” being held in the Great Northern Hotel, Bundoran, Co. Donegal on 11th - 12th March, 2014.
39. Training Seminar entitled “Value for Money in Local Government” being held in the Clanree Hotel, Letterkenny, Co. Donegal on 14th – 16th March, 2014.

40. Training Seminar entitled “The Councillor Post 2014” being held in Mount Errigal Hotel, Letterkenny, Co. Donegal on 14th – 16th March, 2014.
41. Elected Members Training Seminar entitled “Rural Development Programme (R.D.P.) 2014-2020” being held in Westport Plaza Hotel, Westport, Co. Mayo on 14th - 15th March, 2014.
42. Road Safety Authority International Conference on Driver Distraction being held in the Main Conference Hall, Dublin Castle, Dublin 2 on 20th March, 2014.
43. Elected Members Training Seminar entitled “Dealing with vacant space” being held in the Connacht Hotel, Old Dublin Road, Galway City on 21st - 22nd March, 2014.
44. Training Seminar entitled “Public Relations and the Media” being held in the Gold Coast Hotel, Ballinacourtny, Dungarvan, Co. Waterford on 28th – 30th March, 2014.
45. Elected Members Training Seminar entitled “Judicial Review of the Decision Making Process” being held in the Manor West Hotel, Tralee, Co. Kerry on 28th - 29th March, 2014.
46. Training Seminar for Councillors entitled “Retirement planning for Councillors” being held in the Fairways Hotel, Dublin Road, Dundalk, Co. Louth on 4th - 5th April, 2014.
47. Rural Revitalization Conference Dublin being held at the University College Dublin on 21st May, 2014.

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.

Public Presentation and P.R. Management Seminar being held in the Celtic Ross Hotel, Rosscarbery, West Cork on 3rd – 5th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €575.59 including conference fee of €100.

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

Training Seminar entitled “Canvassing Tips 2014” being held in Bewleys Hotel, Newlands Cross, Naas Road, Dublin 22 on 3rd – 5th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €614.66 including conference fee of €5.

It was agreed that Cllrs. P. Daly, P. McMahon and P.J. Ryan attend this Conference.

Employment Law Mediation –v- Litigation Seminar being held in the Celtic Ross Hotel, Rosscarbery, West Cork on 10th – 12th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €75.59 including conference fee of €100.

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

Training Seminar entitled “Political Reform 2014” being held in Bewleys Hotel, Newlands Cross, Naas Road, Dublin 22 on 10th – 12th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €14.66 including conference fee of €5.

It was agreed that Cllr. M. Hillery attend this Conference.

Elected Member’s Training Seminar entitled “Developing and Supporting Enterprises Locally” being held in the Connacht Hotel, Dublin Road, Galway on 10th - 11th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €52.04 including conference fee of €50.

It was agreed that Cllr. G. Flynn attend this Conference.

Seminar entitled “Drugs and the Community” being held in Dublin on 17th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €430.57.

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

Training Seminar entitled “Credit Unions and the rules governing them” being held in Bewleys Hotel, Newlands Cross, Naas Road, Dublin 22 on 17th – 19th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €600.95 including conference fee of €5.

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

“Conference entitled “Can Sport Build for a Shared Society?” being held in Lansdowne Court Hotel, Belfast on 23rd January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €13.43.

It was agreed that Cllrs. P. Murphy and S. McLoughlin attend this Conference.

Seminar entitled “Domestic Water Charges – preparation and practicalities” being held in the Four Seasons Hotel, Carlingford, Co. Louth on 24th – 26th January, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €641.93 including conference fee of €100.

It was agreed that Cllrs. R. Nagle and P. Keane attend this Conference.

L.A.M.A. Spring Seminar 2014 being held in the Four Seasons Hotel, Monaghan on 31st January – 1st February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €71.63 including conference fee of €50.

It was agreed that Cllrs. P. McCarthy, O. Garry and M. Kelly attend this Conference.

Conference on Mental Health and Suicide Awareness” being held in Dungarvan, Co. Waterford from 31st January – 1st February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €13.70 including conference fee of €100.

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

Elected Member’s Training Seminar entitled “National Programme of Revaluation of Commercial & Industrial Properties” being held in Connacht Hotel, Dublin Road, Galway from 31st January – 1st February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €52.04 including conference fee of €50.

It was agreed that Cllr. G. Flynn attend this Conference.

Banner Beekeepers Conference being held in Ennistymon, Co. Clare on 2nd February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €4.28 including conference fee of €25.

It was agreed that Cllr. B. Meaney attend this Conference.

Workshop for Councillors entitled “Microsoft Excel Training” being held in the Park Hotel, Clonmel, Co. Tipperary on 5th – 7th February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €62.94 including conference fee of €100.

It was agreed that Cllrs. P. Daly, P. McMahon, P.J. Ryan and P. Keane attend this Conference.

Conference entitled “Flood Risk Management” being held in Cobh, Co. Cork on 7th February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €74.01 including conference fee of €75.

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

Training Seminar entitled “An overview of Jobsbridge & Back to Work Scheme” being held in Bewleys Hotel, Newlands Cross, Naas Road, Dublin 22 on 7th – 9th February, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €25.57 including conference fee of €5.

It was agreed that Cllrs. P.J. Ryan, R. Nagle and P. Daly attend this Conference.

Association of County and City Councils Annual Conference being held in the Slieve Russell Hotel, Co. Cavan on 6th - 7th March, 2014.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €25.18 including conference fee of €130.

It was agreed that Cllrs. C. Curtin and P. McCarthy attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Méara

Date: _____