

Minutes of the May Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 11th May, 2015 at 3:45 p.m.

Present:

Councillors J. Breen, J. Flynn, P. Daly, A. Norton, T. McNamara, M. Howard, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, A. O'Callaghan, C. Crowe, J. Crowe, G. Flynn, P.J. Ryan, P. McMahon, C. Curtin, R. Nagle, B. Slattery, I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

Apologies: Cllr. M. McKee.

- Mr. Tom Coughlan, Chief Executive.
- Mr. Michael McNamara, Meetings Administrator.
- Ms. Siobhan Garvey, Staff Officer.
- Mr. Ger Dollard, Director of Service.
- Ms. Anne Haugh, Director of Service.
- Mr. Niall Barrett, Head of Finance.
- Ms. Helen Walsh, County Librarian.
- Ms. Noeleen Fitzgerald, Financial Accountant.
- Mr. Tom Tiernan, Senior Engineer.

The Leas Cathaoirleach, Cllr. T. O'Brien presided at the beginning of the meeting in the unavoidable absence of the Cathaoirleach, Cllr. John Crowe.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Minutes of the April Meeting of Clare County Council held on 13th April, 2015 be adopted and signed.”

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

“That the Minutes of the adjourned April Meeting of Clare County Council held on 20th April, 2015 be adopted and signed.”

c. Ar moladh Cllr. B. Chambers
Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Minutes of the Special Meeting of Clare County Council held on 5th May, 2015 be adopted and signed.”

Item 2: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. P. Hayes
Cuidithe ag Cllr. T. O'Brien agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 21st January, 2015 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 7th April, 2015 be noted.”

Item 3: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 2nd April, 2015 as presented.

Item 4: 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 construction of new coach park attendant's cabin and associated works built into grassed mound near coach park entrance at the Cliffs of Moher Visitor Centre, Lislorkan North, Co. Clare.

It was agreed that this would be deferred and discussed at the June meeting.

Item 5: Fix date for Annual General Meeting.

It was proposed by Cllr. J. Breen, seconded by Cllr. J. Cooney and agreed by all members present that the Annual General Meeting will take place on Friday, 26th June at 3:00 p.m.

Item 6: Draft Annual Report 2014.

The Draft Annual Report for 2014 was circulated with the agenda and was noted and approved by the members present.

Item 7: 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.

Item 8: Annual Financial Statement.

The Annual Financial Statement for 2014 together with a report outlining relevant details was circulated in advance of the agenda. The members considered the report and statement and noted same.

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

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

	Total €000
A. Housing & Building	725
B. Transportation and Infrastructure	860
C. Water Supply & Sewerage	1,135
D. Development Incentives & Controls	2,242
E. Environmental Protection	817
F. Recreation & Amenity	574
G. Agriculture, Education, Health & Welfare	100
H. Miscellaneous Services	(121)
J. Support Services	1,301

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

“Pursuant to the provisions of Section 104 of the Local Government Act 2001, additional expenditure incurred in 2014 in the amount set out below in respect of the following is hereby approved:-

Additional Expenditure Approval 2014		€000
Additional Expenditure	Division A	560
Additional Expenditure	Division B	1,590
Additional Expenditure	Division D	1,540
Additional Expenditure	Division F	315
Additional Expenditure	Division H	50

Mr. Niall Barrett, Head of Finance provided a brief overview of the main points of the Annual Financial Statement 2014 and replied to a number of queries raised by the members. In summary, it was reported that Clare County Council could record a positive result in the region of approx. €600,000 for 2014 reducing the debit balance from €1.4 million to €800,000.

Item 9: Nominations to Strategic Policy Committees.

Report dated 5th May, 2015 from Michael McNamara, Senior Executive Officer, Corporate Services was circulated with the agenda together with updated S.P.C. composition for 2014/2019.

The members ratified these nominations unanimously.

It was agreed that Item No. 19 on the Agenda would be taken with this item.

Item 19: Public Participation Network.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllr. J. Flynn agus glacadh leis

“That the Director of Services update the Council with a report on the establishment of the Public Participation Network in the county under the following sub-headings:-

- a. Nos. of registered groups per Municipal District.
- b. Nos. of registered groups per electoral college.
- c. Nominations completed – names and their relevant network membership at county and municipal district level.
- d. Support structure for network – administrative and financial.
- e. PPN secretariat

and to ensure the effective functioning of the structure for the benefit of communities in the county that direct assistance be sought from the Department of the Environment, Community and Local Government.”

Gerard Dollard, Director of Service replied as follows:

- a. Number of registered groups per Municipal District
Ennis 74; Killaloe 27; West Clare 49; Shannon 26. Total: 176
- b. Number of registered groups per electoral college
Environment 11; Community & Voluntary 130; Social Inclusion 35.
- c. Nominations completed – names and their relevant network membership at county and municipal district level.

L.C.D.C.:

Environment - Martin McKeown

Community & Voluntary - Cillian Murphy and Christy Leyden

Social Inclusion – Dermot Hayes and Mary O’Donoghue

J.P.C.:

Community & Voluntary – Ger O’Halloran

Economic Development & Enterprise S.P.C.:

Environment – Theresa Carter

Planning & Housing S.P.C.:

Environment – Anny Wise

Social Inclusion - Dermot Hayes

Cultural Services & Arts S.P.C.:

Community & Voluntary – Geraldine Hetheron & Eric Shaw

Social Inclusion – Jean Tierney

Environment & Transportation S.P.C.:

Environment – Andrew St Ledger

Community & Voluntary – John Higgins
Social Inclusion – Damon Matthew Wise

d. Support structure for Network – administrative and financial:

An Assistant Staff Officer is the assigned part-time support worker to the Network structures. Senior staff are also involved as required. Other direct costs are at present being funded from the Council's existing budgets.

e. P.P.N. Secretariat:

Environment – Christy Sinclair and Theresa Carter
Community & Voluntary – Cillian Murphy and Damon Matthew Wise
Social Inclusion – Kay Murphy and Ann Enright
Municipal District of Ennis – Marie Therese Carroll
Municipal District of Shannon – Eugene Crimmins
Municipal District of Killaloe – Dwain Quigley
Municipal District of West Clare – Tina O'Dwyer

Dr. Sean Healy, Director, Social Justice Ireland has confirmed the availability of training supports to the PPN structures in the County. The Council has been in contact with Dr. Healy and a number of training programmes will be made available to the Secretariat at this stage. It is hoped that the other PPN structures will also avail of this training opportunity.

It is envisaged that separate training will be provided through the I.P.A. for the non-elected representatives on the Strategic Policy Committees and that specific training will also be available to the members of the Local Community Development Committee.

The issue of funding has been consistently raised with the Department. A sum of €1,350 was provided by the Department in 2014 towards the set up costs of the PPN. It is clear that the overall PPN structure, in order to be effective, will require to be properly resourced. To date, the Council has not been advised of any funding in 2015 towards the operational costs associated with the PPN structures and network."

G. Dollard responded to queries and stated that the Environment element on the PPN had been created as part of a national arrangement and that groups had to be vetted prior to them joining the Environment pillar.

Item 10: Parking Incentives for Ennis and Kilrush.

Report dated 5th May, 2015 from Anne Haugh, Deputy Chief Executive was circulated with the agenda. The report states that arising from discussions at meetings of the Members for Ennis Municipal District and the West Clare Municipal District and following debate at the April 2015 Council meeting, it is proposed to introduce the following parking incentives on a trial period from 1st June, 2015 to end of September 2015.

Ennis:

Free parking in the Council's car parks from 2:00 p.m. each Saturday. Parking charges will continue to apply to on street car parking.

Kilrush:

Two hours free parking on a trial period from 1st June, 2015 to end of September, 2015.

The report outlined that the introduction of both incentives will have an impact on estimated income contained in the Budget for 2015 and the members need to have regard to this in considering the proposals. Impacts on income will be monitored and reported on to the elected members.

All members present agreed that this was a welcome initiative and every effort should be made to promote the incentive in both towns. It was agreed that the trial would be reviewed and discussed further when the Budget for 2016 is being prepared so any impact on income can be taken into consideration.

Mr. G. Dollard reminded members that parking charges are a source of income for the Council as well as a method used for traffic management and ensuring a changeover of cars parking on main streets.

The proposals as outlined were agreed on the proposal of Cllr. C. Colleran Molloy and seconded by Cllr. B. Chambers.

Item 11: Draft Road Traffic (Special Speed Limits Housing Estates Pilot Project) 2015.

Report dated 5th May, 2015 from Barry Keating, Road Safety Officer was circulated with the agenda together with copy of the Draft Road Traffic (Special Speed Limits Housing Estates Pilot Project) Bye-laws 2015. The report states that the above mentioned Draft Bye-Laws were discussed and recommended at Road Safety Together Working Group Meeting and were approved by the S.P.C. prior to commencing the statutory public consultation process. The Draft Bye-Laws were published to facilitate public consultation on 3rd April, 2015. The closing date for submissions was 4th May, 2015.

Given that no submissions were received under the public consultation phase, the attached draft bye-laws are now recommended for the Council's approval.

The speed limit reduction and plan proposed was welcomed by the members present. Mr. T. Tiernan responded to queries raised and advised the meeting that the proposal presented is a pilot scheme and that speed limit checks will be carried out to assess if any difference is made. The Department has issued specification with regard to the signage and the Council will be in full compliance with same. The Gardai have also been made aware of the changes being introduced.

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

“That the Road Traffic (Special Speed Limits Housing Estates Pilot Project) Bye Laws 2015 be approved.”

Item 12: Commission for Economic Development of Rural Areas (C.E.D.R.A.).

Report dated 29th April, 2015 from Gerard Dollard, Director of Services was circulated with the agenda. The report states that the Working Group which was established by the Council to examine the C.E.D.R.A. report has met on three

occasions and decided to prepare a report for submission to the Minister covering strategic issues and potential initiatives and projects in County Clare that could be progressed under the thirty four C.E.D.R.A. recommendations.

Copy of the draft submission to the Minister was attached to the agenda. The Working Group recommends that the final submission, as agreed by the Council, should also be forwarded to the Chairman of the newly established Expert Advisory Group on Rural Policy recently announced by Government. This was agreed by all members present.

After some discussion on this matter the following further proposal was submitted to the meeting:

“Arising from adoption of Item 12 – Agenda Council Meeting 11th May. That this Council invite the Minister of State at the Department of Agriculture, Food and Marine and with special responsibility for Rural Economic Development Ms. Ann Phelan T.D. and the Chairman C.E.D.R.A. Advisory Group Mr. Pat Spillane to address the issues at the meeting of the Council”.

Signed: Cllr. C. Curtin and Cllr. G. Flynn.

The meeting approved this proposal.

Standing Orders.

As the meeting had been in progress for a period of one hour, it was agreed by all present to continue discussing the Headed Items on the agenda.

Item 13: Clare Local Community Development Committee Annual Report 2014.

Report dated 24th April, 2015 from Gerard Dollard, Director of Services was circulated with the agenda. The report states that the Local Government Act 2001 requires the Local Community Development Committee to prepare, adopt and submit an annual report to the local authority no later than 31st March each year in respect of the performance of its functions in the previous calendar year. In addition the local authority is required to include an outline of the activities of the L.C.D.C. in the local authority's own annual report.

The report was considered at a meeting of the Local Community Development Committee on the 8th April, 2015 and its adoption was proposed and seconded and agreed.

The annual report attached to the agenda covers the period June 2014 to December 2014.

The report was noted and agreed by all members present.

Item 14: Review nominations to board of Clare Local Development Company Ltd. (C.L.D.C.).

It was agreed to defer this item to the next meeting.

Item 15: Insurance premium.

Ar moladh Cllr. C. Curtin

Cuidithe ag Cllrs. G. Flynn agus M. Begley agus glacadh leis

“That in view of the high insurance premium paid by the Council to provide cover for road maintenance works, we would request extension of same to provide the necessary indemnification for all projects undertaken on road repairs and upkeep including Community Grant Schemes.”

Tom Tiernan, Senior Engineer replied as follows:

“From an insurance cover perspective the position is that all road repair and upkeep work including that carried out under Community Involvement Schemes is covered. There is a provision in relation to Community Involvement Schemes whereby applicants can apply for such schemes on the basis that:

1. They pay a contribution of 15% of the overall cost and all of the works are carried out by the Council, or,
2. Their contribution is part monetary and part works.

Since the introduction of the Community Involvement Scheme in its present format in 2013 all such schemes have been sought and approved based on No 1 above – i.e. all works have been carried out by the Council and, therefore, all such activity has been covered by the Council’s insurance.

If a situation were to evolve where the community contribution would incorporate works to be carried out by the community, then the community would have to provide its own insurance cover in relation to such works in accordance with criteria to be specified by the Council insurers and the Council would have to be indemnified in this context.”

A query was raised with regard to insurance cover for works carried out by local communities. It was agreed that the Director of Service would check this.

Item 16: C.F.R.A.M.S. study.

Ar moladh Cllr. C. Crowe

Cuidithe ag Cllr. P. Hayes agus glacadh leis

"On the basis that the Office of Public Works' C.F.R.A.M.S. study has yet to be finalised does the Clare County Council C.E.O. believe that it is appropriate that draft maps and reports from this study should be used as supporting documents for the advancement of major infrastructural projects in the county?"

Tom Tiernan, Senior Engineer replied as follows:

“Normally the advancement of major infrastructural projects is facilitated through a series of very important strategic steps such as feasibility, assessment of options, development plan variation (where relevant) preliminary design, formal planning, tender, construction etc. Some of these stages require the development of various reports to support the objectives of the various stages or targets to be reached. Such reports need to be as clear and as comprehensive as possible, they need to address in a

focussed way the issues which are important in terms of demonstrating that the designated objectives can be achieved without adverse affect, they need to outline mitigation measures where adverse affect is a risk and they need to draw on all relevant information which is available within reason.

Recently C.F.R.A.M. Mapping containing flood risk information was published in draft format to facilitate invitation of the views of the general public in relation to its content. If the information contained in this mapping is relevant in terms of having the capacity to inform one or more stages of the development process of a major infrastructural project then it can be considered reasonable to refer to such information in reports pertaining to the project in question – once it is made clear what the source of the information is and that the source is itself a draft document in the public domain. Furthermore, in many circumstances it could be considered inappropriate to omit reference to such information given its relevance and significance in ensuring that information conveyed to the public is as complete as possible.

A more detailed response may have been possible if this notice of motion had referred to a particular project or a particular stage of that project.”

Mr. T. Tiernan reported that the Limerick Northern Distribution Road proposal was within areas identified in the Flood Risk Report and that this was currently in a public consultation phase.

The following proposal was submitted and read out at the meeting:

“With specific reference to the Limerick Northern Distributor Road, we the undersigned Councillors request that motion 16 (May 2015 monthly meeting agenda) be referred to the Council Solicitor for legal opinion”.

Signed by: Cllr. C. Crowe, Cllr. C. Colleran Molloy and Cllr. A. O’Callaghan. This proposal was agreed by all present.

Item 17: Housing.

Ar moladh Cllr. I. Lynch
Cuidithe ag Cllr. agus glacadh leis

“That the C.E.O. present a detailed report to this council, for the towns and villages of each municipal district, in relation to

- 1) housing needs of Clare County Council, including current housing stocks and availability,
- 2) planned distribution of the allocated €26 m., for housing, identifying locations of proposed new developments, "infil" properties and purchases of existing houses”.

Gerard Dollard, Director of Service replied as follows:

“The delivery of the housing programme will involve a combination of house acquisition, construction and leasing of new social housing units. The programme will also have regard to large population centres with a higher housing need. Research is ongoing on these three elements of the housing provision and indeed as suggested in the motion consideration of acquisition and refurbishment of a very limited number of derelict properties is also being examined.

Overall, it is important to note that the Council in acquiring, constructing and leasing properties will have sensitive regard to the need to achieve an appropriate well

managed balance between limited social housing mix with privately owned properties in estates. It can contribute positively to improved housing integration. This will consider the perspective of private investors with considerable mortgages and market forces. It will seek to build sustainable communities in all areas of the county.

Housing Demand and Supply as at 1-5-15:

Ennis Municipal District

Location	Housing Need	Current Stock	Current Vacancies
Clarecastle	98	119	2
Ennis	1,257	592	12
Quin	49	16	0
	1404	727	14

Shannon Municipal District

Location	Housing Need	Current Stock	Current Vacancies
Meelick	29	25	0
Newmarket on Fergus	73	61	1
Parteen	23	3	0
Shannon	340	283	3
Sixmilebridge	82	79	1
Westbury	54	7	0
	601	458	5

Killaloe Municipal District

Location	Housing Need	Current Stock	Current Vacancies
Ballinruan	7	2	0
Broadford	14	13	1

Clonlara	47	35	2
Crusheen	7	5	0
Feakle	22	7	0
Kilkishen	24	22	0
Killaloe	100	101	5
Mountshannon	20	0	0
O'Briensbridge	12	4	1
Ruan	9	19	0
Scarriff	77	64	4
Tubber	5	0	0
Tulla	50	15	1
Whitegate	15	20	0
Single Rurals	0	10	0
	409	317	14

Kilrush Municipal District

Location	Housing Need	Current Stock	Current Vacancies
Ballynacally	5	15	0
Ballyvaughan	28	15	1
Carrigaholt	7	12	1
Cooraclare	13	7	0
Corofin	53	46	2
Cross	3	3	0
Doonaha	0	6	0
Doonbeg	28	10	0
Ennistymon	112	70	2

Inagh	25	10	1
Kildysart	24	34	2
Kilfenora	14	24	0
Kilkee	80	96	4
Kilmaley	30	4	0
Kilmihil	31	18	0
Kilrush	198	182	9
Labasheeda	5	7	0
Lahinch	64	24	0
Lisdoonvarna	56	22	2
Miltown	66	85	2
Mullagh	4	11	0
Quilty	13	17	0
Single Rurals	0	36	0
	859	754	26
TOTAL	3273	2256	59

It should be noted that it is likely that a significant proportion of applicants are interested in housing supports rather than offering standard local authority housing.

Work is also in train on addressing properties that are vacant and the Council hopes to continue the high level of activity achieved in 2014 when 65 properties were addressed.”

Mr. G. Dollard responded to queries raised and reported that at present housing demand is greater than units available and that new housing stock is required and that the only option available to the Council at present for this is through acquisition. Any house purchases must be approved by the Department. The new H.A.P. Project which will be completed by the end of 2015 will see those who are on the Housing lists only so those in receipt of rent supplement will be removed which will provide a truer picture of the housing requirement in the county. He further advised that the grant allocation given to Clare County Council of €26 m. is a 3 year allocation and will have to cover all costs associated with housing purchases, constructions and / or housing renovations.

Item 18: 1916 Commemoration.

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

“That this council would advise the members on what funding will be made available to communities wishing to commemorate the 1916 rising in its centenary year of 2016.”

Helen Walsh, County Librarian replied as follows:

“A €m. allocation of funding from central Government has been provided to all Local Authorities to allow plans for "Ireland 2016" to be developed at local level. This breaks down at approx €30,000 per Local Authority. The Ireland 2016 Project Team has directed that funding is used:

- 1) To support engagement and facilitation within local communities to generate awareness of the Ireland 2016 initiative and the commemoration of the centenary of the 1916 Easter Rising
- 2) To support each Local Authority in developing and delivering a plan for a suitable programme of events and initiatives to take place at a county level in line with the national plans for Ireland 2016.

A consultation process will commence with community groups in June in which local community involvement will be facilitated.”

Helen Walsh, County Librarian responded to queries raised.

Item 20: Blue Flag.

Ar moladh Cllr. M. Hillery
Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“In view of the excellent bathing water results published recently for Co. Clare how many locations has the Local Authority applied for Blue Flag status in 2015?”

Anne Haugh, Director of Service replied as follows:

“Clare County Council has applied for a blue flag at the following beaches.

- Whitestrand Miltown Malbay
- Ballycuggeran
- Whitestrand Doonbeg
- Mountshannon
- Cappa
- Fanore
- Spanish Point
- Kilkee
- Lahinch

In addition Clare County council has applied for a green coast award at the following beaches

- Bishops Quarter

- Seafield

We are awaiting the results of the jury for the awards. The awards are scheduled to be made in late May 2015 just before the start of the 2015 bathing season.”

Item 21: Illegal dumping.

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

“With illegal dumping gone out of control across the county, I am asking Clare County Council to (a) start looking at putting cctv to monitor this activity. (b) To write to house hold residents looking for proof of how they are disposing of their waste.”

Anne Haugh, Director of Service replied as follows:

“CCTV can be a useful tool in monitoring illegal littering and dumping of waste and is already used to a considerable degree by the Environment section of Clare County Council. Its use tends to be most successful at static sites and areas such as designated Recycling Centres, Bring Banks and also known dumping trouble spots around the county. Several small portable cameras are also already in use in attempts to obtain evidence of illegal littering and dumping. The problem is that illegal dumping activities are not static – they continuously move around from one location to another. Whenever action is taken by the Environment section, such as a successful fine or prosecution or the installation of CCTV cameras and signage, then the illegal activity moves to another location. It is illegal for Clare County Council to erect CCTV cameras without signage and it is not possible to predict where the next location for illegal dumping will be. Nor is it possible to include the whole county area within CCTV coverage. Furthermore, constraints on resources do not permit the more widespread use of cameras nor of outside companies who can provide such a service. These services are used and are expensive and if they do not lead to fines or prosecutions there is no mitigation for the additional cost.

Clare County Council’s Environment Section have already carried out a project on a housing estate in Ennis and are currently commencing another larger project to investigate and determine how households are disposing of their waste. This will help to identify those households who do not have any disposal service and is in accordance with the Household Waste Collection Bye-Laws.”

At this point the Cathaoirleach, Cllr. John Crowe joined the meeting and presided from here on. The Leas Cathaoirleach thanked all members present for their co-operation while he chaired the meeting.

Item 22: Leader programme.

Ar moladh Cllr. T. McNamara
Cuidithe ag Cllr. P.J. Kelly

“In light of the 45% reduction in the 2014-2020 Leader programme funding for County Clare, I call on Clare County Council to waiver any administration costs the Council may incur associated with the programme in favour of qualifying community projects.”

Gerard Dollard, Director of Service replied as follows:

“The process for the development of the 2014-2020 Leader Programme has commenced. Expressions of interest have been sought from interested local action groups and the closing date for such expressions of interest is 15th May, 2015. Following that date, those local action groups who have passed the first stage will be required to produce a local development strategy in respect of their particular area. It is envisaged that a 6 month period will be allowed for the preparation of the strategy.

Clare County Council is not entitled to apply for the Leader programme as it does not meet the requirements for a local action group. The Council may, however, be a financial partner in respect of the delivery by a local action group of the Leader programme in County Clare. The Council may also be the implementing partner on behalf of a successful local action group.

At this point in time, it is not clear what costs will arise in relation to the Council fulfilling any of the roles above. Any costs incurred will require to be validated and accounted for in accordance with the Department and EU Regulations governing the programme.

I would suggest that any consideration of the issue is premature until such time as:

- (1) decisions are made regarding the local action group for County Clare;
- (2) there is clarity regarding the specific role of the Council in any successful submission and
- (3) there is a quantification of the costs arising on the Council from fulfilling the designated role.”

In response to further queries raised, the Chief Executive stated that the L.C.D.C. is now a local authority function and that the Council has an obligation to service the L.C.D.C. He advised against adopting the motion on the agenda.

It was agreed to defer this item to the next meeting.

Item 23: Ennis and Environs Development Plan.

Ar moladh Cllr. T. McNamara

Cuidithe ag Cllrs. A. Norton, C. Colleran Molloy agus P. Daly agus glacadh leis

“We call on the C.E.O. of Clare County Council to outline the current status of the Ennis and Environs Development Plan 2008-2014 and immediately proceed with the Ennis and Environs Local Area Plan 2015-2021 which commenced in Sept. 2014 and is currently suspended.”

Gerard Dollard, Director of Service replied as follows:

“The Ennis and Environs Development Plan 2008-2014 was adopted in December 2008. Although ordinarily it would have expired 6 years after its adoption, it remains the operative plan for the Ennis area as its life has been extended by Section 11C(a) of the Planning & Development Act 2000 as amended. This section of the Act also provides that it be read together with the development plan for the administrative area within which the former town council is situated i.e. the Clare County Development Plan 2011-2017.

Furthermore 11C(b) of the Act provides that the next review of the County Development Plan must provide for the review of the former town council area, in this case the area of the Ennis & Environs Development Plan.

As you will be aware the review of the County Development Plan has commenced and the Chief Executive's Report on the pre-draft submissions was issued to you on the 30th April. A Draft Clare County Development Plan 2017-2023 will be submitted to you no later than 1st October this year for your consideration and subject to your agreement this will go on public display in December. The Draft County Development Plan will incorporate objectives for the Ennis & Environs area.

With regard to the Draft Ennis & Environs Local Area Plan 2015-2021, it is considered premature, as advised by the Department of Environment, Community and Local Government, to advance the L.A.P. taking account of the provisions of the Planning and Development Act 2000, as amended, and given that the L.A.P. is required to be consistent with its 'parent' development plan, namely the Ennis and Environs Development Plan 2008 – 2014.”

In response to queries raised by Cllrs. McNamara, Norton, Daly and Colleran Molloy, Mr. G. Dollard advised the meeting that members were briefed on the matter at an Ennis Municipal District meeting. The Ennis and Environs Development Plan had commenced in good faith but due to a mis-interpretation of the regulations it was not possible to proceed with the Plan and highlighted that there was a difficulty in Clare that the County had to merge three Local Authorities together. He reported that although resources had gone into the plan, the end product was not a waste and consultants were only engaged to conduct a flood risk assessment which can be used in the future, much of the information currently gathered is being used in the County Development Plan.

He further stated that the County Development Plan is currently being prepared with a draft expected to be ready in October 2015 and submissions can be re-submitted at the appropriate stage of the process. He further confirmed that every effort will be made to minimise any costs that may fall on landowners.

Item 24: Civic Reception.

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllr. P. McMahon agus J. Breen agus glacadh leis

“That Clare County Council recognise through a Civic Reception for Mr. Gerry O’Connell his record in sports which include world, multiple European and national weightlifting and field athletics titles.”

Agreed by all members present.

Item 25: Farm safety.

Ar moladh Cllr. P. Murphy

Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“In the interest of farm safety, I am proposing that Clare County Council call on the

Minister for Agriculture, Food, the Marine and Defence to liaise with all relevant farming organisations and examine whether provision, or use of a "panic button" would help in reducing the high number of farm accidents and fatalities”.

Item 26: Local Improvement Scheme.

Ar moladh Cllr. P.J. Kelly

Cuidithe ag Cllr. C. Curtin agus glacadh leis

“Clare County Council calls on the Government to re-introduce the L.I.S. Scheme and also the Community Roads Scheme in order to give fair treatment to the many taxpayers who are residing in areas which are served by cul-de-sac roads and which are in an unacceptable level of repair”.

Tom Tiernan, Senior Engineer replied as follows:

“The following may be of benefit to Councillors in context of the debate in relation to this Notice of Motion.

As outlined in Circular RW2/2015 there is provision this year under the 2015 Regional and Local Road Grant allocations for local authorities to allocate funding for both Local Improvement Schemes and Community Involvement Schemes if they wish to do so but there are no specific allocations ringfenced for either in the Scheme of Grants published by the Department of Transport, Tourism and Sport.

With regard to Local Improvement Schemes it is at the discretion of the local authority to allocate up to 15% of its Discretionary Grant for L.I.S. As was outlined in the “Schedule of Municipal District Works 2015” approved by the four Municipal Districts, it was decided that no such discretion would be exercised on the basis that current resources available to the Council aren’t adequate to cater for the needs of the public road network and, therefore, it would be inappropriate to divert any such resources to facilitate the requirements of private roads.

With regard to Community Involvement Schemes, discretion is provided to local authorities to divert up to 7.5% of Restoration Maintenance and Restoration Improvement Grants to facilitate C.I.S. As outlined in the “Schedule of Municipal District Works 2015” a sum of €325,822 has been allocated and approved by the four Municipal Districts and is available for C.I.S. this year. Applications were invited in early April in respect of the scheme and the closing date for receipt of same is May 15th. “

Item 27: Bunratty Folk Park.

Ar moladh Cllr. P. McMahon

Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“I will seek the support of the Council to request the Shannon Group to investigate the possibility of establishing a historic theme park attached to the Bunratty Folk Park as part of the upgrading of the Folk Park.”

Item 28: H.S.E. waiting lists.

Ar moladh Cllr. C. Colleran Molloy

“That Clare County Council call on the H.S.E. to address the inordinate and deadly delays in waiting lists for by-pass operation patients.”

On request from Cllr. C. Colleran Molloy it was agreed by all present that this item would be deferred to the June Meeting.

Item 29: Disability grants.

Ar moladh Cllr. A. Norton

Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That Clare County Council write to the Minister for Environment and Local Government requesting that the money allocated for disability grants be forwarded to each Local Authority in a prompt manner at the beginning of each year to ensure that works can be carried out in a timely manner.”

Gerard Dollard, Director of Service replied as follows;

“The Council has not, to date, been notified of its allocation for schemes covering Adaptations for People with a Disability in 2015. The Council has, however, been advised to continue processing of applications on the basis of 24 grant levels applying. The Council is operating on such a basis the delay in formal notification of the grant allocation is not affecting the implementation of the various grant schemes.

It is expected that the formal notification of the 2015 allocation will be announced shortly.”

Item 30: Banking services.

Ar moladh Cllr. P. Hayes

Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“I propose that Clare Co Council calls on the Minister for Finance and the Central Bank to introduce a strict code of practice in the delivery services to the public by the banking sector .i.e. proper maintenance of the A.T.M. services and full counter services at all Bank branches.

Item 31: Comhfhreagras.

The following correspondence was circulated with the agenda:

1. Correspondence dated 22nd April, 2015 from U.L. Hospitals in relation to H.S.E. re-configuration plan.
2. Correspondence dated 29th April, 2015 from Ervia in relation to the Water Supply Project, Eastern and Midlands Region.

3. Correspondence dated 29th April, 2015 from Data Protection Commissioner in relation to the publication of persons convicted of litter offences by local authorities.
4. Correspondence dated 27th April, 2015 from the Department of Environment, Community and Local Government in connection with a review of the restructuring of local government arrangements in Ireland.
5. Correspondence dated 15th April, 2015 from the Office of the Minister for Education and Skills in relation to the allocation of resource hours for children.
6. Correspondence dated 23rd April, 2015 from the Department of Environment, Community and Local Government in connection with Motor Tax.
7. Correspondence dated 14th April, 2015 from the Office of the Minister for Education and Skills in relation to renaming the University of Limerick as the University of Limerick and Clare.
8. Correspondence dated April, 2015 from the Department of Social Protection regarding social welfare entitlements of the self employed.
9. Correspondence dated 2nd April, 2015 from the Department of Communications, Energy and Natural Resources in relation to communication services within County Clare.
10. Correspondence dated 27th April, 2015 from the Office of the Minister for Agriculture, Food and the Marine in relation to lands designated under the Natura 2000 network.
11. Correspondence dated 22nd April, 2015 from the Department of Environment, Community and Local Government in connection with Leader funding.
12. Correspondence dated 22nd April, 2015 from the Office of the Minister for Social Protection in relation to people to receive social welfare payments directly into their bank accounts.
13. Correspondence dated 17th April, 2015 from the Office of the Minister for Agriculture, Food and the Marine in relation to T.B.
14. Correspondence dated 13th April, 2015 from the Department of Environment, Community and Local Government requesting that all local authorities be given the option of using the term Mayor to describe its Chair.
15. Correspondence dated 13th April, 2015 from the Department of Environment, Community and Local Government in relation to pyrite compensation.
16. Correspondence dated 5th April, 2015 from the Department of Communications, Energy and Natural Resources in relation to Moneypoint powerstation.
17. Resolution from Limerick City & County Council in relation to having a Private Community Hospital built at the Dock Road, Limerick.
18. Correspondence from Deputy Pat Breen regarding funding allocation for the Housing Aid for the Elderly Grant, Mobility Aids and Housing Adaptation Grants.
19. E-mail from Revenue C.S.D. Local Property Tax regarding L.P.T. Collection and unfinished estates/estates not taken in charge request.

20. Resolution from Carrickmacross Castleblayney Municipal District in relation to school bus services.
21. Resolution from Limerick City & County Council in relation to the Early Retirement Scheme.
22. Resolution from Ballina Municipal District in relation to allocation for municipal districts.
23. A.I.L.G. training for elected members May 2015.
24. Training Seminar for local authorities entitled “Reserved and executive functions at Local Government Level” taking place in White’s Hotel, Wexford on 8th – 10th May, 2015.
25. Training Seminar entitled “The new Companies Act 2014” taking place in the Horse & Jockey, Co. Tipperary on 15th – 17th May, 2015.
26. Training Seminar for Councillors entitled “Local Government & Economic Development” taking place in the Millrace Hotel, Bunclody, Co. Wexford on 5th & 6th June, 2015.
27. “The Courthouse” Restoration Conference taking place in “The Courthouse”, Oughterard on 29th May, 2015.
28. Conference entitled “E.U. Support Programmes for Irish Regions” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 5th – 7th June, 2015.
29. The SPIDER Project Conference taking place on 9th & 10th June, 2015 in Dublin 2.
30. Training Seminar for Councillors entitled “Local Government & Economic Development” taking place in Park House Hotel, Main Street, Edgeworthstown, Co. Longford on 12th & 13th June, 2015.

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.

A.I.L.G. “In Service” Training taking place in the Brehon Hotel, Killarney on 17th February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €283.25.

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

A.I.L.G. “In Service” Training taking place in Arklow, Co. Wicklow on 17th February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €179.48.

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

A.I.L.G. “In Service” Training taking place in the Radisson Hotel, Limerick on 21st February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €124.96 including conference fee of €125.

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

A.I.L.G. “In Service” Training taking place in the Welcome Inn Hotel, Castlebar on 26th February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €279.11.

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

Conference entitled “Regenerating local spaces through effective planning” taking place in Dublin Castle on 26th February, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €386.62.

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

A.I.L.G. Annual Conference taking place in the Nuremore Hotel, Carrickmacross, Co. Monaghan on 12th/13th March, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €662.55 including conference fee of €125.

It was agreed that Cllrs. G. Keating, P. Hayes, B. Chambers, C. Curtin and B. Slattery attend this Conference.

L.A.M.A. Spring Training Seminar taking place in Ard Rí House Hotel, Milltown Road, Tuam, Co. Galway on 10th & 11th April, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €127.74 including conference fee of €180.

It was agreed that Cllrs. P.J. Ryan, J. Crowe, P.J. Kelly, P. Hayes and G. Keating attend this Conference.

A.I.L.G. “In Service” Training taking place in Celbridge, Co. Kildare on 14th April, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €129.53 including conference fee of €50.

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

A.I.L.G. “In Service” Training taking place in the Radisson Hotel, Limerick on 18th April, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €55.06.

It was agreed that Cllrs. P.J. Kelly and B. Chambers attend this Conference.

A.I.L.G. “In Service” Training taking place in the Clayton Hotel, Galway on 23rd April, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €164.54.

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

Girls, Women and Alcohol Conference taking place in the Westin Hotel, Dublin 2 on 21st April, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €86.62.

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

A.I.L.G. “In Service” Training taking place in Kilkenny on 7th May, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €351.56 including conference fee of €50.

It was agreed that Cllrs. B. Chambers, P. McMahon, P. Daly, M. Hillery, J. Cooney, J. Breen, M. Howard, P.J. Kelly, P.J. Ryan, G. Keating, A. O’Callaghan, B. Slattery and P. Hayes attend this Conference.

A.I.L.G. “In Service” Training taking place in Sligo on 16th May, 2015.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €351.56 including conference fee of €50.

It was agreed that Cllr. C. Colleran Molloy attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____