

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, 13th February, 2017 at 3:45 p.m.

Present:

Councillors J. Breen, J. Flynn, P. Daly, A. Norton, T. McNamara, M. Howard, P. Murphy, C. Collieran 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, M. McKee, C. Curtin, R. Nagle, B. Slattery, I. Lynch, M. Hillery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Pat Dowling, Chief Executive.
- Mr. Gerard Dollard, Director of Services.
- Ms. Carmel Greene, Meetings Administrator.
- Ms. Karen Stackpoole, Staff Officer.
- Mr. Liam Conneally, Director of Services.
- Mr. Niall Barrett, Head of Finance.
- Mr. Leonard Cleary, A/Director of Service.
- Mr. Tom Tiernan, A/Director of Service.
- Mr. John Leahy, Senior Engineer.
- Mr. Sean Ward, Senior Engineer.
- Mr. Mark Dunphy, Communications Officer.
- Mr. Kieran O'Donnell, Administrative Officer.
- Mr. John Corry, Administrative Officer.

The Cathaoirleach, Cllr. B. Chambers presided.

St. Patrick's Day Parade in New York.

At the outset it was proposed by Cllr. J. Breen, seconded by Cllr. T. McNamara and agreed by all members present that the Cathaoirleach and Chief Executive accept the kind invitation of the County Clare Patriotic, Benevolent and Social Association of New York City to attend the St. Patrick's Day Parade in New York.

Votes of sympathy

A vote of sympathy was extended to the following:

- Gerard Dollard, Director of Economic Development on the death of his mother Mary Dollard, R.I.P;
- Cllr. P.J. Kelly on the death of his nephew, Cathal Kelly, Gorey, Co. Wexford, R.I.P;

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. M. Howard
Cuidithe ag Cllr. J. Crowe agus glacadh leis

“That the Minutes of the January Meeting of Clare County Council held on 9th January, 2017 be adopted and signed.”

Item 2: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. C. Crowe
Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That the Minutes of the Shannon Municipal District Meeting held on the 8th November, 2016 be noted.”

b. Ar moladh Cllr. P. Burke
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 16th November, 2016 be noted.”

c. Ar moladh Cllr. M. Hillery
Cuidithe ag Cllr. C. Curtin agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 17th November, 2016 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 2nd December, 2016 be noted.”

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

“That the Minutes of the Ennis Municipal District Meeting held on the 6th January, 2017 be noted.”

Item 3: Minutes of S.P.C. Meetings.

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

“That the minutes of the Cultural Services & Arts S.P.C. meeting held on 9th November, 2016 be noted”.

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

“That the minutes of the Economic Development & Enterprise S.P.C. meeting held on 14th November, 2016 be noted”.

Item 4: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 3rd January, 2016 as presented.

Suspension of Standing Orders at 15:44 p.m.

It was proposed by Cllr. J. Breen and seconded by Cllr. A. O’Callaghan to suspend standing orders in order to discuss the recent publication of a HIQA Report into Superbugs at our hospitals and the Whistleblower Report in relation to University Hospital Limerick. It was agreed by the Cathaoirleach to suspend Standing Orders for a period of 15 minutes to discuss this matter.

Cllr. Breen outlined to the members that the figures were quite alarming in the report. He advised that 30 people have lost their lives in Limerick Regional Hospital in the last 5 years as a result of contracting a superbug. He stressed the need to have proper regulation of hygiene at our local hospitals. He queried if this issue has been raised at the HSE Forum meetings. In response the members of the HSE Forum replied to some of the issues raised. They advised that the next meeting of the forum is due to take place in March that that these concerns will be raised then. Cllr. Curtin added that the members had asked previously for the H.S.E. to attend a Council meeting and enquired if there was any response to this request.

The meeting resumed at 15:53 p.m.

Item 5: Monthly Management Report.

The monthly management report attached to the agenda included key activities in the principal service areas and was noted by the members.

The members again complimented the Chief Executive on the new design and format of the management report. They did, however, ask if this report could be made available to them electronically. They also queried if this report could be used as an information tool to update members of the public on the activities of Clare County Council. The Chief Executive, in response advised that this report is available on the Clare County Council website and that he would arrange for it to be emailed each month to the members.

Item 6: Fix date for March monthly meeting.

It was agreed by a show of hands that the March monthly meeting will be held on Monday, 27th March, 2017.

Item 7: Proposed disposal of area of land at Bóthar na Linne, Shannon pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000 to the Department of Education and Skills.

Report dated 11th January, 2017 from Carmel Greene, Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that it is proposed to dispose of an area of land on Bóthar Linne, Shannon to the Department of Education and Skills for the purpose of providing a site for Gaelscoil Donncha Rua, Shannon. The site in question is the site on which the present temporary school stands and measures approximately 2.5 acres.

The purpose of acquiring this land is to build a permanent school building, play area and facilities for the school. The Department of Education requires a minimum ground area to consider an application for a permanent school building and this area has been agreed with them.

In May 2016, the Council approved of the extinguishment of the right of way over the pathway which crosses a portion of the site.

It is now proposed to dispose of this area to the Department of Education and Skills. Pursuant to new procedures for sale of land for schools, the land in question will be paid for by the Department.

Ar moladh Cllr. G. Flynn

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, the disposal of an area of land on Bóthar Linne, Shannon to the Department of Education and Skills for the purpose of providing a site for Gaelscoil Donncha Rua, Shannon subject to the conditions as set out in the notice served on the members dated 11th January, 2017.”

The members asked that it be noted that an alternative Right of Way has to be done on the lands outside of this area as the Right of Way through these lands has been extinguished.

Item 8: Proposed disposal of property at 14 St. Flannan’s Terrace, Clare Road, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000 to Ms. Denise Neylon.

Report dated 20th January, 2017 from Monica Meehan, Senior Executive Officer, Rural Development was circulated with the agenda. The report states that the property at 14 St. Flannan’s Terrace, Clare Road, Ennis was acquired by compulsory purchase order under the Derelict Sites Act 1990 and became vested in the Council in June 2016. It is a derelict property located within a terrace of properties.

It is now proposed to sell this property which measures 0.127 acres (0.0513 hectares). The property was formally offered for sale on the open market in October 2016.

Ar moladh Cllr. J. Flynn
Cuidithe ag Cllr. A. Norton agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of the disposal of property at 14 St. Flannan’s Terrace, Clare Road, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 20th January, 2017.”

Item 9: Proposed disposal by lease of area of land at Bane’s Field, Killaloe pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000 to Killaloe/Ballina Tennis Club.

Report dated 1st February, 2017 from Carmel Greene, Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that the Killaloe Ballina Tennis Club have been operational in Killaloe on lands owned by the Council since 1988. Back in 2007 Clare County Council entered into a lease with the Killaloe Ballina Tennis Club for an area of lands in the Bane Field in Killaloe following which they developed tennis facilities and a small club house and this was a great addition to the recreational facilities in the towns of Killaloe Ballina and the wider hinterland.

At the present time, Clare County Council has developed proposals for a recreational area in Tobermurragh/Banes Field, Killaloe which are currently going through a Part VIII process. This proposes that additional lands will be allocated for the future development of the Killaloe Ballina Tennis Club and the Club is currently in the process of preparing an application for funding under the Sports Capital Grant Scheme.

In light of this, it is proposed to lease an additional area of lands to the Killaloe Ballina Tennis Club. The proposed term of the lease is 21 years.

Ar moladh Cllr. A. O’Callaghan
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, the disposal by lease of an area of land in the Bane Field, Killaloe to the Killaloe Ballina Tennis Club subject to the conditions as set out in the notice served on the members dated 1st February, 2017.”

It was agreed by the members to take Item No. 10 & Item No. 11 together.

Item 10: Report from Audit Committee on Local Government Auditor’s Report for the year ended 31st December, 2015.

Report dated 7th February, 2017 from Mr. Tom Kirby, Chairman of the Clare Audit Committee was circulated with the agenda together with copy of the Local Government Statutory Audit Report for year ended 31st December, 2015.

The members noted the report as presented and Cllr. P. Hayes, member of the Audit Committee, acknowledged the support of the staff of the Local Authority who assist the audit Committee members to carry out their duties.

Item 11: Clare County Council Audit Committee Annual Report 2014/2015.

The 2014/2015 Audit Committee Annual Report was circulated with the agenda. The report states that Section 60 of the Local Government Act 2014 requires that the Audit Committee report to the Council at least annually.

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

- Functions of the Audit Committee
- Membership of the Committee
- Role and Responsibility of Internal Audit
- Detailed Matters Considered in 2014/15

The members noted this item as presented.

The members raised queries regarding the Local Government Statutory Audit Report for year ended 31st December, 2015. They questioned how the Cliffs of Moher balance is being funded and how the loan is being serviced. N. Barrett, Head of Finance responded by advising the members that income earned at the Cliffs of Moher Visitor Centre is being used to service the loan and any surplus arising is used to fund necessary refurbishment works and reduce the overall capital balance.

Cllr. C. Curtin queried the status of the Work Plan for Clare County Council for 2016. He also sought further information in relation to Legal Fees.

Cllr. G. Flynn queried the necessity for an entry charge per person into the Cliffs of Moher Visitor Centre. He feels that this charge is too high. He considers that a single car parking charge would be more appropriate. G. Dollard, Director of Service responded to the concerns raised. He advised the members that the current charge is necessary as it gives a return to meet the investment of €33 m at the Centre whilst also covering the loan charges and the day to day costs of running of the site. He also outlined the current investment proposals for car parking, new toilet facilities and works at O'Brien's Tower. He concluded by saying that these improvements can only happen by re-investing the income from the centre.

Item 12: Update on Clare Rural Development Forum and Rural Development Strategy.

Report dated 7th February, 2017 from Leonard Cleary, A/Director of Rural Development was circulated with the agenda. The report provides an update on Clare Rural Development Forum and Rural Development Strategy under the following headings:

- CEDRA
- Rural Development Policy and Services and the LCDC
- "Action Plan for Rural Development" – Realising our Rural Potential
- Rural Development Forum and Rural Development Strategy

The Chief Executive introduced this item by emphasising that this is a significant opportunity for rural development in County Clare. He encouraged all agencies and stakeholders to embrace this journey in order to reverse the decline in rural communities so that they can all work collectively for the good of rural Clare.

Leonard Cleary Acting Director of Service for Rural Development then presented the following recommendations for the consideration of the members:-

- The local CEDRA Committee of Clare County Council continue to operate as an advisory and action committee for internal projects being led by the local authority in Clare;
- The local CEDRA Committee of Clare County Council be renamed as the internal Clare County Council “Working Group for the Action Plan for Rural Ireland” or Clare County Council “Implementation Committee for the Action Plan for Rural Ireland”.
- The Chair of CEDRA to be a member of the Rural Development Forum to create linkage.

He advised the members that the inaugural meeting of the Clare Rural Development Forum would take place on Wednesday 15th February, 2017. The Forum will meet five times between now and early summer to guide the Clare response to the Government’s “Action Plan for Rural Ireland” in the form of a Clare Rural Development Strategy. It is envisaged that the Strategy will be launched by early summer 2017. He finished by adding that the continued input of Elected Members, SPC, CEDRA and MD’s will be important to the process of drafting the Strategy.

The members welcomed the Report and thanked the Chief Executive and the Acting Director of Service for Rural Development. Some voiced concerns and stressed that leadership will be the key to a successful forum and Strategy.

The Chief Executive finished by stating that the Strategy will have to be pragmatic and realistic and be specific to the needs of rural Clare. It will be about Clare carving out its own journey in order to stem the decline of its rural communities.

The members then nominated the following onto the Rural Development Forum for the preparation of a Rural Development Strategy by May /June 2017:

- Cathaoirleach (of the day).
- Cllr Tom McNamara Ennis MD.
- Cllr Gabriel Keating West MD.
- Cllr Pat Hayes Killaloe MD.
- Cllrs John Crowe and Cllr PJ Ryan (rotating) Shannon MD.
- Cllr Christy Curtin Chair CEDRA.

It was also agreed that the CEDRA Committee would discuss and agree the name change at a future meeting of the CEDRA committee.

Item 13: Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 80 and 81 of the Planning & Development Regulations 2001-2013 for the proposed construction of beach toilets and amenity services at Lahinch beach.

Report dated 8th February, 2017 from Tom Tiernan, A/Director of Service, Physical Development together with the planning report was circulated with the agenda. The report outlines details of the proposed development at Lahinch Seaworld and Leisure Centre.

Ar moladh Cllr. B. Slattery
Cuidithe ag Cllr. M. Hillery agus glacadh leis

“That pursuant to Part XI, Section 179 of the Planning and Development Act, 2000 (as amended) and Part VIII, Article 80 and 81 of the Planning and Development Regulations 2001 – 2010, Clare County Council proceed with the proposed construction of beach toilets and amenity services at Lahinch beach, Lahinch, Co. Clare.”

Item 14: Composition of Memorial Committee.

Report dated 25th January, 2017 from John Corry, Administrative Officer, Transportation was circulated with the agenda. The report refers to the Memorial Policy which was adopted by Clare County Council at the January 2017 meeting. As part of this policy it was proposed that any applications for consideration would be forwarded to a Memorial Committee. It is therefore recommended that the composition of this Memorial Committee would include the members of the Council Standing Orders Sub Committee (comprising of Cllr. G. Flynn, Chairperson, Cllrs. B. Chambers, C. Collieran Molloy, J. Cooney, P. Murphy and C. Curtin together with an executive member from Corporate Services and Planning & Transportation.

The report as presented was agreed by the members present.

Ar moladh Cllr. G. Flynn
Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“That Cllrs. B. Chambers, G. Flynn, C. Collieran Molloy, J. Cooney, P. Murphy and C. Curtin be appointed to the Memorial Committee.”

Item 15: Report on Public Consultation on Draft Doolin Harbour Bye Laws 2017.

Report dated 6th February, 2017 from John Corry, Administrative Officer, Transportation was circulated with the agenda. The report states that the Draft Doolin Harbour Bye Laws 2017 went on public display from 29th November to the 30th December, 2016 with a further period up to 10th January for submissions to be received. A total of 1 submission was received regarding engines being left switched on in coaches and busses when stationary at Doolin Pier. Clare County Council have included a condition in the Draft Doolin Harbour Bye Laws 2017 that all parked vehicles would have their engines switched off to prevent noise pollution, emissions, etc. A number of further amendments to the Bye Laws are also proposed as outlined in the report.

The Draft Doolin Harbour Bye Laws 2017 were considered and agreed by the West Clare Municipal District at their meeting on 23rd January, 2017.

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

“That the Draft Doolin Harbour Bye Laws 2017 would be adopted.”

Some of the members voiced their concerns about the enforcement of these bye-laws. They queried whether Clare County Council could provide a specific designated area at Doolin Pier for the two ticket operators under a Part VIII process. G. Dollard, Director of Service replied saying that the co-operation of many parties would be needed in order to progress such an option. He did, however, add that it is Clare County Council's intention to undertake significant improvements at Doolin Pier which will include a new visitor building. The Chief Executive finished by advising that he will seek to implement the wishes of the members.

Item 16: Presentation from N.B.R.U. (National Bus and Railworkers Union) as agreed at the January meeting. To be held at 3:00 p.m.

Cllr. T. O'Brien introduced the delegation from the National Bus and Railworkers Union at 3:00 p.m.

- Dermot O'Leary, General Secretary
- John Moloney, General President
- Dermot Healy, National Executive Member
- Kevin Scanlan, National Executive Member

Mr. O'Leary outlined their objectives for "Save our Bus Services" – SOBS which they wish to bring to the attention of the elected members and the public to point out the need to preserve and maintain bus services for the people of Ireland and to protect the future of rural transport. Following his presentation, Mr. O'Leary replied to the questions raised by the members about services for the town of Ennis, West Clare and North Clare.

The following resolution was proposed by Cllr. T. O'Brien, seconded by Cllrs. J. Flynn, C. Colleran Molloy, P. Daly, P. Hayes, P.J. Ryan, T. McNamara, J. Breen and C. Crowe and agreed by all present:

"We the undersigned Councillors following on from today's presentation by the N.B.R.U. delegation call on the Minister for Transport, Tourism and Sport to create an environment whereby all parties can, without pre-conditions assist towards a resolution of the Bus Éireann Expressway crisis."

Item 17: Historic Buildings in Kilrush

Ar moladh Cllr. B. Chambers

Cuidithe ag Cllr. G. Keating agus glacadh leis

"That the Director of Economic and Tourism Development explore the options for the development of a tourism/heritage project in one of the historic buildings in the town of Kilrush".

Gerard Dollard, Deputy Chief Executive and Director of Economic Development replied as follows:

"The Council has a strong focus in relation to tourism product development throughout the county. In relation to the Kilrush general area, initiatives have been progressed in relation to the Vandeleur Walled Gardens; work is progressing on the enhancement of the Scatterry Island tourism product and Loop Head Lighthouse has been established as a focal point on the Wild Atlantic Way.

The Council has also been in discussions with the owner of the former Convent site in Kilrush which is in a very poor state and various ideas have been put forward for the overall development of the site. The Council has provided support through the services of a professional tourism consultant to assist in the development of proposals for the overall site. The key approach is to determine the optimum use for the site which would be viable on a long term basis. There is no doubt that significant investment is required to bring the Convent up to a modern standard and the Council will continue to work with the owner to see if positive progress can be achieved.”

It was decided that Item No. 18 & Item No. 19 be taken together.

Item 18. Limerick Northern Distributor Road.

Ar moladh Cllr. C. Crowe

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

"That the citizenry of Clare and their public representatives that sit on Clare County Council be given equal and fair treatment in the Limerick Northern Distributor Road route selection process. Specifically, I propose that

- 1) A detailed analysis of all route options be conducted again.
- 2) The CEOs of both Clare and Limerick County Councils account for the disparities in how they and their staff conducted the route selection processes."

Tom Tiernan, A/Director of Physical Development replied as follows:

“There is a clear insinuation in this motion that neither public representatives or the public themselves have been treated fairly through the Route Selection Process pertaining to the Limerick Northern Distributor Road, that there are differences in the manner in which due process was conducted in each of the local authorities involved and by implication that the pertinent procedures weren’t followed. I totally refute this and wish to clarify the position as follows:

- Following receipt of confirmation by the Department of Transport that planning for development of the project could proceed, the Project Consultants (Roughan & O’Donovan) were appointed in late 2010.
- Ancillary to this, a Section 85 Agreement (2001 Local Government Act) was entered into between Clare County Council as the lead authority and the then two Limerick Authorities (Limerick County Council and Limerick City Council). This in effect means that for the purpose of development of the project, Clare County Council takes on the role, responsibility and functions of the other two authorities so that it can be managed to fruition in a consistent manner where it impacts across the three jurisdictions.
- At the outset, a Project Steering Group was established – consisting of representatives from Clare County Council, Limerick County Council, Limerick City Council, the Department of Transport and the Consultants. Regular Steering Meetings were held to facilitate an orderly approach and to ensure that the project objectives were being

achieved and that any issues being encountered were being properly dealt with and closed out.

- The first step in terms of identification of a Route Corridor for the route was to identify the geographical zone within which the proposed route could reasonably be located. Once this was identified in draft format, the general public were invited to make observations in relation to same.
- Once the Constraints Study area was finalised, a thorough examination of all constraints and potential constraints was carried out with a view to identification of potential route corridors. Upon completion of this, a number of route corridor options were developed and presented to the public in June, 2011 at a public consultation event held in the Greenhills Hotel, Ennis Road, Limerick. Following detailed scrutiny of all submissions received during and following this event, an examination of each route option under a number of headings including environment, economy, safety, accessibility, social inclusion and integration, the emerging Preferred Route Corridor evolved.
- The views of the general public were invited in relation to the emerging Preferred Route Corridor and in this regard, two very well attended public consultation events were hosted in the Radisson Hotel – the first in January, 2012 and the second one in March, 2012. Following detailed assessment of all of the submissions which were made on foot of these two events, the Preferred Route Corridor was confirmed in the Route Selection Report which was accepted by the Steering Group in September, 2012.

I set out the foregoing to demonstrate that a rational process was followed to ultimately reach a point where the most appropriate Route Corridor would be identified – having consulted with the general public and having assessed, in detail, all submissions received on foot of that consultation. The initial examination of the constraints zone was extremely thorough as was the assessment of each individual route option.

As the project has been dealt with from the outset as a single proposal (albeit impacting on up to three separate jurisdictions) but conducted by a single lead authority (Clare County Council) as facilitated through the aforementioned Section 85 Agreement, there was no disparity across jurisdictional boundaries.

Therefore, with regard to the two proposals incorporated in this motion, the position is as follows:

1. There is no justification to warrant the carrying out of a detailed analysis of all route options again and
2. There is no rationale to require that the CEOs of Clare and Limerick local authorities should account for disparities regarding how they and their staff conducted the route selection processes as only one local authority was involved in this context by virtue of implementation of a Section 85 Agreement.”

Item 19. Limerick Northern Distributor Road.

Ar moladh Cllr. M. Begley

Cuidithe ag Cllr. J. Flynn agus glacadh leis

“In view of recent developments in Limerick City & County Council regarding the LNDR, that Clare County Council would now order the consultants to review the entire project to produce a people friendly road system in south east Clare that will: greatly enhance the road network, greatly improve access to Limerick city, provide a “State-of-the-Art” access to/from UL to the west (access to the east already exists) and do so on the basic principle of a two-way traffic system.”

Tom Tiernan, A/Director of Physical Development replied as follows:

“The first part of this Notice of Motion which calls for a review of the entire LNDR Project appears to be emanating from a view that recent developments in Limerick City & County Council are in some way contrary to the objectives and what is driving the need for the Limerick Northern Distributor Road. In this context, it is important to clarify what the actual “recent developments” are as follows:

- Recently Limerick City & County Council (LC&CC) has been reconsidering its position in relation to the LNDR and in particular in relation to the concept of variation of its current County Development Plan to reflect the route of the proposed road.
- LC&CC indicated to Clare County Council (the lead authority in terms of development of the LNDR) its intentions in this regard and accordingly, the project Consultants (Roughan & O’Donovan) have been assisting it (LC&CC) in the matter.
- As part of its deliberations LC&CC have been giving consideration to junction arrangements required in the vicinity of the Limerick end/docking point of the Route Corridor to facilitate improved traffic capacity of the existing strategic road network into which the proposed LNDR will link. This consideration is prompted by a need to alleviate particular traffic difficulties in the area but there is no proposal to change the location of the original Route Corridor compared with what was proposed for the first variation process which concluded in July, 2015.
- LC&CC is to initiate a formal variation process within the coming weeks with a view to having its development plan reflect the LNDR Route Corridor as proposed in 2015 but with provision for the aforementioned junction enhancement requirements incorporated.

Therefore, recent developments in Limerick amount to a decision to re-engage with the process to facilitate development of this strategically critical infrastructure and achievement of the objectives associated with it – notwithstanding the added incentive to provide additional benefits in terms of functionality of the existing road network into which it will link.

Apart from the benefits which the Limerick Northern Distributor Road will bring in terms of strategic connectivity, facilitation of access to employment and education, facilitation of employment generation opportunities and so on, it will also achieve the goals set out in the second part of this motion. In this regard, it will:

- Provide cross linkage between all of the strategic routes approaching Limerick City from Clare and, therefore, provide options to facilitate the needs of people either accessing the city or wishing to divert elsewhere.
- Facilitate community and people friendly requirements by virtue of incorporating pedestrian and cycle facilities including ample crossing points and accommodation of public transport.

- Provide a high quality route to accommodate convenient connectivity between communities, employment, education and the strategic route network facilitating the region.

With regard to UL, it is important that access to the Clare campus is provided from the east as well as from the west and the LNDR will facilitate this. Existing access from the east via the Limerick campus is at saturation point.

In summary, the objectives articulated in this notice of motion will all be comprehensively achieved through the development of the Limerick Northern Distributor Road as proposed. The achievement of these objectives will be complimented by the much broader project objectives as set by the various strategic studies which prompted the proposal in the first place. To date, the development of the project has been moved forward in a very orderly, comprehensive and inclusive manner and it would be both inappropriate and unjustifiable to take any approach other than to move forward from the current position.”

The members were emphatic in their opinion that this matter needs to be urgently re-addressed. They further stressed that a dual carriageway is not a people friendly road and it is not appropriate to build one through the communities of Parteen and Clonlara. The members were insistent that Clare County Council needed to get the best resolution for the traffic problems in east Clare taking local knowledge into account and that all proposals needed to be looked at again. They stressed the need to organise a meeting immediately with the consultants dealing with this matter.

The Chief Executive advised the members that he will take their comments up appropriately.

Item 20. Landfill licences.

Ar moladh Cllr. M. Begley

Cuidithe ag Cllrs. P.J. Ryan agus A. O’Callaghan agus glacadh leis

“That Clare County Council request the relevant Government department/departments to urgently pass legislation providing for the independent monitoring by the local authorities of the use and implementation of landfill licences.”

John Leahy, Senior Engineer, Environment Section replied as follows:

“Irish National Legislation, based on European Waste Management and Environmental directives, is already in place which regulates monitoring of landfill/waste disposal/recovery of waste.

Legal authorizations for landfill activities are divided into three main categories:-

- (i) Certificate of Registration for inert (soil & stone) materials up to a maximum quantity of 25,000 tonnes. This type of authorization is the responsibility of Local Authorities.
- (ii) Waste Facility Permit which is for inert (soil & stone) materials of a quantity from 25,000 to 100,000 tonnes or for municipal-type waste (domestic rubbish) to a maximum of 50,000 tonnes. This type of authorization is the responsibility of Local Authorities.
- (iii) Waste Licence which is for sites where in excess of 100,000 tonnes of inert (soil & stone) materials or over 50,000 tonnes of municipal waste (or hazardous waste)

is intended to be deposited. This type of authorization is the responsibility of the Environmental Protection Agency (EPA).

Local Authorities are responsible under the Waste Management Act 1996 and the Waste Management (Facility Permit & Registration) Regulations 2007, as amended, for assessing, granting and monitoring the authorizations in (i) and (ii) above and the Environmental Protection Agency (EPA) are responsible under the Waste Management Act 1996 and EPA Act 1992, as amended, for all aspects of Landfill licences.”

The members voiced their concerns regarding the monitoring of these permits and licences. They queried whether the material deposited was monitored in order to establish if it exceeded the limits specified in the permit or licence. They also queried why wheel washing facilities or weighing options are not considered at these locations. G. Dollard, Director of Economic Development replied to the issues raised.

Item 21. Emergency Accommodation.

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

“In view of recent publicity regarding Apollo House, to ask the Council if NAMA has offered any properties in Clare which may be suitable for emergency accommodation and if the Council has been in contact with NAMA regarding such properties.”

Liam Conneally, Director of Social Development replied as follows:

“All properties under the control of NAMA which are considered suitable for social housing are offered to the Council through the Housing Agency. Whilst in recent years we have purchased 77 no. properties from NAMA, we have rejected a number of others which were unsuitable for a number of reasons, mainly due to being located in areas of low social housing demand or for sustainable community reasons.

To date, none of the NAMA properties purchased have been suitable for emergency accommodation.

Currently, in Ennis there are 34 no. former NAMA units being completed for social housing which we hope will be ready for allocation this Autumn.”

Item 22. Public sewerage systems.

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

“That Clare County Council outline how many villages throughout the county that have no public sewerage system and what steps have to be taken now to start and progress same.”

Sean Ward, Senior Engineer, Water Services replied as follows:

“The Clare County Development Plan 2017-2023 sets out in its Core Strategy a settlement hierarchy ranging from the County and Hub Town of Ennis, the linked Gateway of Shannon, 3 Service Towns, and a range of towns, villages and clusters. Each of the 88 settlements in the County are defined in terms of their location in the hierarchy. The location of a settlement within the hierarchy is a reflection of the anticipated social, economic and physical and

infrastructure – including public sewerage and the Council’s priority during the Development Plan period. Clare County Council would be advocating that the investment in wastewater infrastructure is in line with the location of the settlement in the hierarchy with priority in the following order to Service Towns, Small Towns, large villages, and small villages.

- (A) The county town, the linked gateway, and all the service towns and small towns defined in the County Development Plan are served by public sewerage networks for which Irish Water is responsible, and which are managed by Clare County Council on IW’s behalf under the Service Level Agreement. The same is true for the following large and small villages defined in the Plan.

Large villages

Athlunkard	Doonbeg	Mountshannon
Ballyvaughan	Feakle	Mullagh
Bunratty	Inagh	Parteen
Clarecastle	Kildysart	Quilty
Clonlara	Kilfenora	Quin
Corofin	Kilkishen	Whitegate
Crusheen	Kilmihil	

Small village

Liscannor

- (B) The following large and small villages defined in the County Development Plan have networks, and in most cases treatment plants, serving small local groups of either (i) publicly-built houses or (ii) developer-built housing estates now in the Council’s charge. In most cases these systems are managed at the Council’s expense rather than Irish Water’s.

Large villages

Ardnacrusha	Cooraclare	Lissycasey
Bridgetown	Kilmaley	Meelick (Ballycannon)
Broadford	Kilmurry	O’Brien’s Bridge
Carrigaholt	Labasheeda	

Small villages

Ballynacally	Fanore	Querrin
Bodyke	Flagmount	Ruan
Connolly	Killimer	Spanish Point
Cree	Moy	Toonagh
Cross	O’Callaghan’s Mills	Tubber

(C) The following large and small villages defined in the County Development Plan have no sewerage systems, other than in some cases small developer-built systems not yet in the Council's charge.

Large villages

Barefield	Cratloe	Doolin
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Small villages

Ballinruan	Cranny	Kilnamona
Ballyea	Doonaha	Kilshanny
Belharbour	Inch	Knock
Boston	Kilbaha	Knockerra
Caher	Kilbane	Moyasta
Cappa (Kilrush)	Killanena	Ogonnelloe
Carron	Kilmurry McMahon	
Clooney	Kilnaboy	

Clare County Council has made cases to Irish Water over the past two years to include in its capital investment programmes the provision of public sewerage in Broadford, Carrigaholt, Cooraclare, Doolin and Labasheeda. To date IW's response has been that provision of new systems is lower in its priorities than rectification of deficiencies in existing systems.

The Rural Water Programme has also been considered as a funding source. A Group Sewerage Scheme (GSS) requires a local voluntary group to initiate the project and manage the system once built. This may be feasible where a GSS has to manage only a network, but where a GSS also involves building and operating a treatment plant, it becomes considerably more challenging for the group. Clare Co Council's 2016 application for allocations under the DHPCLG's Rural Water Programme (RWP) included a sewerage system for Carrigaholt under Measure 5(a): Research & Innovation – Integrated wetland proposals. However no allocations were made in Measure 5(a) in 2016 to any local authority. Members will also be aware of unsuccessful submissions having been made before 2016 to advance Carrigaholt for a GSS.

The National Water Forum, comprising representatives from the DHPCLG, City and County Managers Association and Irish Water, is currently discussing delivery of all water services nationally, and this forum may be the most appropriate at which Clare County Council could make submissions about provision of sewerage in small villages.”

The members asked the Chief Executive to keep working with Irish Water to get these on the investment plan so as to provide waste water to these villages. The lack of facilities is a key factor in the de-population of these villages.

Item 23. Construction and consultancy services.

Ar moladh Cllr. J. Breen
Cuidithe ag Cllr. I. Lynch

“I am asking for the names and address of all suppliers providing construction and consultancy services to the Council and that a sub-committee be set up to review all contracts and inspect tenders.”

Niall Barrett, Head of Finance and Support Services replied as follows:

“Please see attached a list of contractors and consultants that received payment from the Council in 2016.

Contract management includes the process of systematically and efficiently managing contract creation, execution and analysis for the purpose of maximising financial and operational performance and minimising risk. It includes the negotiation of the terms and conditions in contracts and ensuring compliance with these terms and conditions thereafter. The review and management of existing contracts takes place on an ongoing and regular basis by the relevant Council personnel who manage the service area to which the contract relates. This process continues throughout the contract duration. As can be seen from the attached list there are a large number of entities involved.

It is not clear whether what is being proposed is a once off review of existing contracts or an ongoing review of contracts. It should be noted that the contract management process is a day to day executive function and has to be dealt with in a timely fashion in order to support ongoing timely service delivery. In that context it would be difficult in practical terms for an ongoing Council subcommittee to operate effectively in a suitably timely format for all the contracts in place. Also such transactional involvement for councillors could be seen as not being consistent with the non executive policy making role of the Council.

The assessment of tenders is a highly regulated area and involves a number of specific steps. All competitions must observe the essential EU principles including non-discrimination, equal treatment, transparency, mutual recognition and proportionality. The Elected Members have an involvement in the opening and recording of the tenders received. There are other steps in the process including:-

- Initial assessment of the tenders received
- Correspondence with tenderers in relation to declarations submitted with the tender
- Correspondence requesting clarifications from tenderers
- Detailed assessment of the tenderers received
- Statutory correspondence with the successful and unsuccessful entities, following completion of the assessment of the tenders
- Dealing with issues and challenges raised by the unsuccessful tenderers
- Awarding the contract to the successful tenderer

The entire process will often take between 3 and 6 weeks and the tender assessment panel are involved throughout the process. Again the process is a day to day executive function which has to be dealt with in a timely fashion in order to support ongoing service delivery and often requires assessment of complex technical issues at a reasonably detailed level.

The process is very transparent with all major competitions advertised publically on eTenders and details of the successful tenderer also published on this site. In addition, all unsuccessful tenderers receive detailed letters outlined the name and marks of the successful tenderer and the reasons why the successful tenderer received higher marks than their submission.

It is estimated that the Council advertises in excess of three hundred competitions a year through eTenders directly or through mini-competitions under Frameworks, which were established following a competition advertised on eTenders.

If the Council wishes to have additional information on the areas for which tenders are being sought and also the outcome of recent tender awards, this information can be provided in the monthly management report to Council.”

Niall Barrett, Head of Finance, spoke on the matter of procurement of goods and services which is a highly regulated area. The role of Internal Audit and the Audit Committee was also discussed. Following discussion, a vote was called on the establishment of a sub-committee to review contracts and inspect tenders which resulted as follows:

In favour: Cllrs. J. Breen, G. Flynn, P.J. Ryan, C. Curtin, I. Lynch. (5)

Against: Cllrs. J. Flynn, P. Daly, A. Norton, T. McNamara, M. Howard, J. Cooney, P. Hayes, M. Begley, A. O’Callaghan, C. Crowe, J. Crowe, P. McMahan, R. Nagle, M. Hillery, P.J. Kelly, B. Chambers, G. Keating. (17)

Abstentions: Cllrs. P. Murphy, C. Colleran Molloy, M. McKee, B. Slattery. (4)

The Cathaoirleach declared the motion defeated.

Item 24. Draft Development Contribution Scheme.

Ar moladh Cllr. P.J. Kelly

Cuidithe ag Cllr. G. Flynn agus glacadh leis

“That with regard to the discussion document on Draft Development Contribution Scheme under Section 48 of consolidated Planning & Development Act and response to notice of motion No. 23 of West Clare Municipal District of 23/01/17, the following information be provided in written form:

- (a) General criteria used in drawing up the list
- (b) The specific criteria used in each of suggested list of approximately 40 projects
- (c) The anticipated cost of each project.
- (d) The financial benefit to each electoral area
- (e) Why the members of the Council were not contacted prior to drawing up suggested list.” (Q)

Gerard Dollard, Deputy Chief Executive and Director of Economic Development replied as follows:

(a) *General criteria used in drawing up the list*

In general, the Draft Contribution Scheme 2017-2023 is prepared to give effect to the infrastructural requirements identified in the Clare County Development Plan 2017-2023. In addition, some projects would be identified as a result of strategic studies at regional, county or local level or as a result of government policy or initiatives. Some projects are listed because of experiences which demonstrate the need for significant upgrade, e.g. Flood Relief or Coastal Defence schemes whilst in other cases, projects are identified by the Directorate in question when planning their programmes of work or through initiatives discussed at Council meetings.

In addition to the above, a review of the projects in the current Scheme was carried out and some projects would have been carried over to the new Draft Scheme. Consideration was also

given to availability of other sources of funding e.g. grants/loans along with timescales for delivery.

(b) The specific criteria used in each of suggested list of approximately 40 projects

Each Directorate was asked to identify capital projects and associated costings for their respective areas that were planned to commence over the period 2017-2023.

Regard was had to the following:-

- The adopted Section 135 Capital Programme 2016-2018
- Emerging infrastructural developments in the Draft County Development Plan
- Limerick Hinterland Study
- Shannon Green Infrastructure Plan
- The annual roads programme (Schedule of Municipal District Works)
- National policy & initiatives
- Availability of other sources of funding – loans, grants, etc
- Timescales for delivery of projects

The anticipated cost of each project.

Each Directorate was asked to provide details of projects including costs. These are set out in the table below. The Council would seek to recover a portion of the capital costs from development levies in respect of new development in the county.

(d) The financial benefit to each electoral area

Section 48 of the Planning Act sets out the statutory provision for the preparation of a Development Contribution Scheme and indicate that the projects are for “*public infrastructure and facilities benefiting development in the area of the Planning Authority*”. Most projects would have a county-wide benefit while some would be of particular benefit to the area in question.

Delivery of these public infrastructure and facilities will be dependent on funding arising from the Scheme and in some cases through the sourcing and leveraging of additional funding from the Exchequer and other state agencies. However, it should be noted that development contributions are not intended to cover the full capital cost of all infrastructure.

(e) Why the members of the Council were not contacted prior to drawing up suggested list.

A discussion document that included a list of Capital Projects was circulated to members of both the Planning & Housing S.P.C. and the Economic Development & Enterprise S.P.C. in advance of draft Scheme going on public display and specific reference was made at both S.P.C.’s to the list of projects. Currently the draft Contribution Scheme is on public display.

Project	Est. Capital Cost (incl. VAT)	Informed by
Ennis NIRR Phase 1	500,000	Current Scheme & Dev Plan
Killaloe By Pass	28,000,000	Current Scheme
Limerick Northern Distributor Road – Phase 2	100,000,000	S135 Prog. & Dev Plan
Access to UL	5,000,000	Current Scheme & Dev Plan
Blakes Corner	6,500,000	S135 Prog. & Dev Plan
Kilkee Traffic Management	1,000,000	Roads Works Prog
Traffic Calming	600,000	Roads Works Prog
Footpath Development	900,000	Roads Works Prog
Cycling Infrastructure & Smart Travel Initiatives	4,000,000	Dev Plan & Limerick Hinterland Study
Streetscape improvement works	1,500,000	Dev Plan
Provision of a Car Park Killaloe	500,000	Limerick Hinterland Study
Community Facilities & Amenities		
Library		
Clare County Library	8,600,000	Current & S135
Open Spaces/Amenities		
Lahinch Promenade Project / Amenity Services Building	1,000,000	Current scheme & S135
Development of a multi-purpose indoor sports facility including the provision of Café/hospitality facilities and services at Lees Road	4,000,000	S135
Covered stand for the athletics track at Lees Road	1,000,000	
Provision of dressing rooms and	500,000	

storage facilities at Tim Smyth Park		
Doolin Harbour Development including Visitor Services building	5,000,000	S135 Prog.
Provision of Holy Island tourist facilities at Mountshannon	1,000,000	S135 & Dev Plan
Provision of carparking at An Rath Cahermore	500,000	
Development of Aillebaun Walk at Killaloe	55,000	
Burren Signage Plan	200,000	Dev Plan
New Toilets at Beaches in Kilkee, Lahinch, Bishopsquarter, Whitestrand, Quilty, Cappagh	1,400,000	S135
New Toilets at Beach in Spanish Point incorporating lifesaving facility for lifeguards	300,000	S135
SE Clare Recycling Centre	400,000	
Shannon Green Infrastructure Plan	200,000	Green Infrastructure Plan & Limerick Hinterland Study.
Amenities and Recreation Space development Limerick Environs Area	200,000	
Provision of Playground facilities Westbury/Parteen	200,000	Dev Plan & Limerick Hinterland Study
Extension of Walking Routes between Killaloe and Ogonelloe	200,000	Limerick Hinterland Study
Park at Tobermurragh/Bane's Field, Killaloe	500,000	Limerick Hinterland Study
Shannon Town Park	1,000,000	S135
Kilkee Sea Wall	5,000,000	S135
Burial Grounds		
County Burial Ground	600,000	Current Scheme

Extension of Illaunamanagh Burial Ground	400,000	Current Scheme
Remedial works to burial grounds in the county including Drumcliff, Corrovorrin, Kildrum, Shanakyle, The Island Kilfenora, Craughan, Fennagh, Killard, Kilmacduane, Templemaley and C of I Kilrush	500,000	
Flood Relief & Surface Water		
Ennis South Flood Relief Scheme	4,500,000	S135 Prog.
Other Flood Relief Projects	5,000,000	S135 Prog
Carparking Requirements: Ennis, Lahinch, Ennistymon, Shannon, Kilkee, Other Centres	2,500,000	Dev Plan & Roads works Prog.

Item 25. Policy changes needed to track agreed actions.

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllrs. C. Curtin, J. Flynn agus P.J. Kelly agus glacadh leis

“That Clare County Council put in place a policy change to deal specifically with agreed proposals from elected members on foot of motions put forward at meetings of the statutory body and in view of the Local Government Reform Act 2014 that placed additional pressure on the remaining number of Councils.

- A. That a register of agreed actions be put in place
- B. That a report be provided to elected members on a quarterly basis to outline progress or completed actions
- C. That the same method be adopted to incorporate County and District level.

This proposed policy change would keep the members informed, the need for duplication of requests reduced and install confidence in the deliverance of local services.”

Pat Dowling, Chief Executive replied as follows:

“I have considered the motion and I will evaluate how the register that is suggested could be put in place. There are a number of different scenarios that would need to be considered in order to put such a reporting framework in place.

Motions may relate to individual business or service areas of the Council, may relate to cross-functional areas or may require the Council to contact another body in relation to the subject matter of the motion.

The motion refers to a "register of agreed actions". It would be intended that the basis of such a register or system would be the motions that are passed by the Council can legally be acted upon and where the resources exist to advance the proposal.

I will discuss this matter further with the Corporate Policy Group at the end of Quarter 1 once the feasibility of the above proposal is considered.

It should be noted that Directors of Service and staff members are available to update Members on queries arising on motions that have been passed. In addition, the monthly management report to Council has recently been updated to give more information in each Directorate.”

The members were unanimous in their support for this motion. Whilst they noted the response of the Chief Executive they expressed their view that the public expect delivery of service with increased charges such as the Local Property Tax. Achievements by the elected members and the Council as a whole have to be accountable. There needs to be a formal monitoring process on how notice of motions are followed up. The members in putting this motion forward are trying to avoid duplication of requests in order to make the system more efficient.

Cllr. P. J. Kelly advised that a reply on a planning matter he raised some time ago relating to the occupancy clause is still awaited. Cllr. J. Breen advised that he was still awaiting a response from the Chief Executive on a matter he had also raised directly with him.

The Chief Executive in response re-iterated that there was an onus on all Council employees and members to be accountable and transparent. He believed it was a matter of balancing bureaucracy with delivery of results. He summed up by advising the members that he would look into this matter further.

Item 26. Senior Management Meetings.

Ar moladh Cllr. G. Flynn

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

“That Clare County Council provide information concerning Senior Management Meetings

- A. Who are the members of the senior management team
- B. How often do they meet
- C. What is the purpose of the meetings
- D. What outside bodies attend
- E. Are elected members excluded
- F. Are Workshops held and if so the frequency been held and participants
- G. What role has the mandated Elected Member on decisions taken by the Senior Management Team.”

Pat Dowling, Chief Executive replied as follows:

- A. The Management Team is led by Chief Executive and comprises four Directors of Service, 1 Head of Finance and is supported by the Senior Executive Officers for

Corporate Services and for Human Resources.

- B. Formal meetings are held forthrightly but there is ongoing daily and weekly and engagement with the members of Management Team.
- C. The meetings consider key issues for the management of the organisation, new legislation or policy developments at national or regional level, financial matters, updates on various projects and matters which require decision or direction by the Executive.
- D. The majority of meetings of Management Team concern internal matters and attendance of outside bodies is not a common feature.
- E. Elected members do not attend but interaction between Management and the elected members is provided for at C.P.G. and S.P.C. level.
- F. Workshops can be held across all levels of the organisation, when required and at the direction of the Chief Executive or Directors of Service.
- G. Any discussions held by the Management Team that affect policy are brought before the elected Council for approval. The most recent example of such a decision is in relation to the Memorial Policy, which was considered by Management Team, Corporate Policy Group and then the elected Council. Clarity on this matter is provided within the Local Government (Reform) Act, 2014.”

Cllr. G. Flynn advised that he was not satisfied with the response at Item D and F above. He asked for a written reply to the item relating to outside bodies and also more information on workshops held, including the list of participants.

Item 27. Group Water and Sewerage Schemes.

Ar moladh Cllr. M. Hillery

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

"What policy has Irish Water to taking in charge Group Water and Sewerage Schemes in County Clare?"

Sean Ward, Senior Engineer, Water Services replied as follows:

“Irish Water has finalised a procedure and a detailed set of forms for taking in charge of Group Water Schemes in which the majority of members of the group have expressed an active interest in being taken in charge. However no formal policy document on the subject has yet been published.

For Group Sewerage Schemes, there is as yet no procedure or policy determined. The Council had discussions with IW in mid to late 2016 about three recently-built schemes on the outskirts of Ennis, but there have been no developments in this regard since December.”

Item 28. Local Enterprise Office.

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

“That Clare County Council request the Local Enterprise Office to update the Council on their activities end of year 2016”.

Gerard Dollard, Deputy Chief Executive and Director of Economic Development replied as follows:

“In 2016 LEO Clare approved funding of €1.03m. to 41 different enterprises. This was facilitated by LEO Clare being successful in obtaining additional funding of €245,000 during 2016 to meet demand.

Training continues to be a primary focus of our activities and this year LEO Clare ran 45 training programmes in which 570 entrepreneurs participated. LEO Clare also facilitated 17 events covering topics of relevance to enterprises in Clare at which 652 people attended. A further 43 enterprises were assisted by the allocation of a mentor to provide one to one targeted assistance to help the enterprises grow and develop.

In addition to core activities the LEO continues to support and encourage young entrepreneurs through our Student Enterprise Awards for second level students and Irelands Best Young Entrepreneur aimed at the 18-35 year age bracket. In 2016, nearly 900 students attended our Student Enterprise events. The number of applicants for Irelands Best Young Entrepreneur doubled to 46.

Job numbers for 2015 saw an increase of 101 in net employment among enterprises supported by LEO Clare. The outlook for further job growth in 2016 is positive and we expect to announce our job numbers for 2016 shortly.

Overall, 2016 has been very encouraging for the future of micro enterprises in Clare. In 2017 LEO Clare will shortly recruit two additional members of staff to increase our capacity to assist Clare enterprises overcome the many challenges they face and continue to create new jobs.”

Item 29. Local Authority Housing Stock.

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

“I am requesting the following information from the Housing Department of Clare County Council;

i) An itemised list of all dwelling houses (to include address and purchase price) that have been purchased by the local authority in 2015 and 2016.

ii) An itemised list of the cost of all repair, renovation and improvement works carried out on these houses prior to being allocated to tenants.

iii) Were all these houses assessed appropriately (structural reports) by engineers or quantity surveyors prior to closing of sale?”

Liam Conneally, Director of Social Development replied as follows:

“In response to item i) of the motion, the attached table includes the address and purchase price of all properties acquired in 2015 and 2016 broken down by Municipal District area.

As requested under item ii) of the motion, the table also includes the cost of all repair, renovation and improvement works carried out on these houses prior to being allocated to tenants. I wish to advise that these costs were tendered and assessed following a public procurement process.

Finally, as asked for in item iii) I can confirm that prior to purchase by the Council, all properties are appropriately inspected and assessed by competent engineers, planners and such other professionals as required.”

Acquisitions 2015	No. of Units	Purchase Price	Current Status	Tendered Cost of Works	Total Cost
Ennis & Environs Municipal District		€		€	€
21 Abbeyville	1	€115,000	Works complete	€11,764	€126,764
26 John Paul Avenue	1	€65,000	Works complete	€41,288	€106,288
8 Dun na hInse	1	€89,000	Under construction	€144,134	€233,134
41 Dun na hInse	1	€60,000	Works complete	€43,062	€103,062
120 Dun na hInse	1	€50,000	Works complete	€40,518	€90,518
55 Dun na hInse	1	€60,000	Tender process	€41,280	€101,280
32 Dromard, Lahinch Rd., Ennis	1	€120,000	Works complete	€29,887	€149,887
78 St. Josephs Tce., Clarecastle	1	€73,000	Works complete	€64,661	€137,661
60 Oak Park, Ennis	1	€100,000	Works complete	€37,017	€137,017
102 Aughteenroe	1	€120,000	Works complete	€0	€120,000
22 Considine Road, Ennis	1	€55,000	Works complete	€67,521	€122,521
125 Hermitage	1	€65,000	Works complete	€72,436	€137,436
Clareabbey, Clarecastle	1	€80,000	Works complete	€81,407	€161,407
13 Quin Gardens, Quin	1	€50,000	Works complete	€25,989	€75,989
106 Aughanteeroe	1	€128,000	Works complete	€5,783	€133,783

56 Dun na hInse	1	€60,000	Works complete	€38,159	€98,159
West Clare Municipal District		€		€	€
6 Church Street, Miltown Malbay	1	€97,500	Works complete	€25,685	€123,185
5 houses at Béal an Inbhir	5	€576,985	No works required	€0	€576,985
No. 3 Pairc ne hEaglaise, Corofin	1	€115,000	Works complete	€4,217	€119,217
22 & 23 Nagles Tce., Kilrush	2	€200,000	Assessment of Works		
36 Pella Road, Kilrush	1	€50,000	Under Construction	€45,000	€95,000
O'Gorman Street/Pound Street	1	€140,000	Under Construction	€50,343	€190,343
38 St. Patrick's Tce., Kilrush (2-bed)	1	€60,000	Assessment of Works		
No. 38 Rooska, Lisdoonvarna	1	€80,000	Works complete	€39,021	€119,021
5 Cuairt Merriman, Ennistymon	1	€100,000	Works complete	€9,909	€109,909
House at Clohanmore Cree	1	€90,000	Works complete	€64,604	€154,604
2 O'Gorman Street, Kilrush	1	€20,000	Under Construction	€80,000	€100,000
4 Woodmount	1	€85,000	Works complete	€25,611	€110,611
8 Chapel Drive, Kilrush	1	€40,000	Works complete	€45,218	€85,218
East Clare Municipal District		€		€	€
13 & 16 Ard na Deirge, Killaloe	2	€399,900	No works required	€0	€399,900
Shannon Municipal District		€		€	€
21 Bruachlawn, Westbury	1	€85,000	Works complete	€16,798	€101,798

63 Kilnasoolagh Park, Newmarket on Fergus	1	€70,000	Works complete	€34,022	€104,022
63 Cappa Lodge, Sixmilebridge	1	€80,000	Works complete	€14,755	€94,755
27 Church View, Sixmilebridge	1	€65,000	Under Construction	€53,515	€118,515
56 Mount Ivers, Sixmilebridge	1	€140,000	Works complete	€23,182	€163,182
6 Carraig Donn, Ballycasey	1	€122,000	Works complete	€9,875	€131,875
43 Tradaree Court, Shannon	1	€68,000	Works complete	€34,737	€102,737
2 School Road, Sixmilebridge	1	€145,000	Under Construction	€10,000	€155,000
28 O'Brien Park, Shannon (voluntary surrender)	1	€45,000	Works complete	€33,426	€78,426
TOTAL 2015	45	€4,164,385			

Acquisitions 2016		Purchase Price	Current Status	Tendered Cost of Works	Total Cost
Ennis & Environs		€		€	€
30 Oak Park, Ennis (3 bed)	1	€80,000	Works complete	€26,090	€106,090
19, 21, 25, 27, 28, 34, 38, 51, 60, 62, & 63 houses at Ballymoneen	11	€720,000	Under Construction	€300,707	€1,020,707
66 Brookville, Lahinch Rd., Ennis	1	€90,000	Under Construction	€44,271	€134,271
11 Clarehill, Clarecastle	1	€70,000	Under Construction	€45,060	€115,060
36, 42, 72 & 81 Dun na hInse	4	€240,000	Assessment of Works		
22 Dun na Rí, Tobartescáin	1	€145,000	Assessment of Works		
26 Castlewood Park, Ennis	1	€122,500	Assessment of Works		

8 Morrissey Avenue, Ennis	1	€95,000	Assessment of Works		
19 Rathban, Tulla Rd, Ennis	1	€135,000	Assessment of Works		
32 Mountain View Ennis	1	€125,000	Sale closed		
25 Abbey Ville, Clare Road,	1	€160,000	Under Construction	€17,025	€177,025
61 Marian Avenue, Ennis	1	€120,000	Assessment of Works		
41 Castlewood Park, Ennis	1	€105,000	Assessment of Works		
No. 27 Dun na Ri, Tobartescáin	1	€154,000	Assessment of Works		
No. 28 Dun na Ri, Tobartescáin	1	€154,000	Assessment of Works		
45 Oak Park, Ennis	1	€145,000	Assessment of Works		
West Clare		€		€	€
14 Barrack Court Kildysart	1	€84,000	Works complete	€19,999	€103,999
49 Marian Estate, Kilkee	1	€85,000	Under Construction	€34,436	€119,436
11 Crawford Street, Kilrush	1	€22,000	Contract docs prep	€94,954	€116,954
10 Beechpark, Kilrush	1	€70,000	Assessment of Works		
4 Ard Donagh, Ennistymon	1	€188,500	No works required	€0	€188,500
17 Ard Donagh, Ennistymon	1	€125,000	No works required	€0	€125,000
15 Smith's Gardens, Kilkee	1	€95,000	Assessment of Works		

East Clare		€		€	€
1 Main Street, Broadford	1	€89,000	Works complete	€34,050	€123,050
3 Clarisford, Killaloe	1	€85,000	Works complete	€37,342	€122,342
Shannon Area		€		€	€
25 Woodview Heights, Sixmilebridge	1	€149,000	Works complete	€22,354	€171,354
18 Cuirt an Droichead, Sixmilebridge	1	€140,000	Works complete	€22,354	€162,354
39 Aidan Park, Shannon	1	€114,000	Works complete	€22,354	€136,354
39 Cronan Grove, Shannon	1	€77,000	Works complete	€22,354	€99,354
77 Sycamore Close, Sixmilebridge	1	€106,000	Assessment of Works	€22,354	€128,354
8 Cois Crann, Newmarket on Fergus	1	€75,000	Under Construction	€22,354	€97,354
14 Moy Park, Shannon	1	€70,000	Works complete	€22,354	€92,354
61 Rossbracken	1	€75,000	Works complete	€22,354	€97,354
18 Inis Orga, Sixmilebridge	1	€140,000	Assessment of Works	€22,354	€162,354
26 Gleann na Smol, Shannon	1	€190,000	Contract docs prepared	€22,354	€212,354
TOTAL 2016	48	€4,640,000			

Item 30. Deputation from SIPTU.

Ar moladh Cllr. M. McKee
Cuidithe ag Cllr. J. Flynn agus glacadh leis

'That Clare County Council receive a deputation from SIPTU in relation to their 'Big Start' Campaign. SIPTU have corresponded with the Cathaoirleach in relation to this.'

Item 31. Clare Bus Services.

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

“I propose that Clare Bus be invited to the March meeting of Clare County Council to update the members on their current services and future developments.”

Item 32. Funding for Orkambi drug.

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

“That this Council calls on the Minister for Health, Simon Harris to fund the drug Orkambi to the sufferers of Cystic Fibrosis who request the drug”.

Cllr. Lynch also asked that a copy of this motion be circulated to other local authorities.

Item 33. Defibrillators.

Ar moladh Cllr. M. Howard
Cuidithe ag Cllr. A. Norton agus glacadh leis

“This Council requests that the Minister for Health require all future publicly accessible defibrillators to be fitted with a sensor that will notify emergency services when the defibrillator is removed for its holder.”

Suspension of Standing Orders 6:20 p.m.

It was agreed by the members that the Standing Orders would be suspended in order to extend the meeting to 7:00 p.m. As there was one half of the Members of the whole Council present this was proposed by Cllr. C. Curtin and seconded by Cllr. B. Chambers.

Item 34. Presentation by H.S.E.

Ar moladh Cllr. A. Norton
Cuidithe ag Cllrs. T. McNamara agus P. Burke agus glacadh leis

“That Clare County Council invite the H.S.E. to come in and give a presentation on mental health issues and Suicide Prevention to all councillors.”

Cllr. P. J. Ryan added that he attended a presentation by the H.S.E. West on “Dealing with Suicidal Thoughts” and thought that it was an excellent presentation and suggested that each of the members should attend this worthwhile and valuable seminar.

Item 35. Free Travel pass scheme.

Ar moladh Cllr. P. McMahon
Cuidithe ag Cllrs. C. Colleran Molloy agus J. Crowe agus glacadh leis

“Call on the Minister for Transport to recognise the value to older people and others of the free pass scheme and to take steps to ensure that it continues to be available.”

The following addendum was proposed by Cllr. J. Flynn, seconded by Cllrs. J. Crowe, P. Murphy and M. Howard and agreed:

“That Clare County Council calls on the Government to increase by 40% the payment from the Department of Social Protection to Bus Eireann for provision of free travel. The payment has been frozen since 2009.”

Item 36. Farm safety.

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

“That this Council requests the Minister with responsibility for farm safety to propose that all new farm machinery implements be equipped with a hydraulically driven system as opposed to power take-off shafts in the interest of farm safety.”

Cllr. P. J. Ryan also asked that a copy of this motion be circulated to other local authorities.

Item 37. Community Employment Schemes.

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

“That Clare County Council call on the Minister for Social Protection, Leo Varadkar to consider reforming the eligibility criteria for participants to take up employment in Community Employment schemes. In particular;

- (a) That the period of unemployment of 12 months be reduced to 6 months.
- (b) That participants who have completed their term on a CE scheme would be allowed to continue on the scheme if there is no one else to fill the vacancy rather than they returning to the unemployment list.”

Item 38. Rural Water Programme.

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

“That this Council, arising from the late notification (30th August 2016) of the final allocation of funds for 2016 under the Rural Water Programme (RWP), would urgently request the Department of Housing, Planning, Community and Local Government to make the following arrangements:-

- (i) To allow for the roll-over of the 2016 budget to facilitate the execution of the approved works by group schemes in 2017 in view of the time involved with the planning & design of the particular schemes.
- (ii) That the provision for same be made in addition to the 2017 allocation under the 3 year Programme (2016-2018).

- (iii) That the allocations for 2017 and subsequent years are made in the first quarter of the year.
- (iv) That Clare's allocation for both Group Water and Sewerage Schemes be increased considerably in line with the comprehensive bid from Clare County Council for schemes under the programme."

Sean Ward, Senior Engineer, Water Services replied as follows:

"Following discussion of (i) above at the Council meeting on 12th December 2016, the Director of Service wrote to the Rural Water section of the DHPCLG asking that the unspent part of the 2016 allocations be carried over to 2017. No response has yet been received to this request.

If the Council wishes, the Rural Water team can also contact the DHPCLG about (ii) and (iii) above.

However as regards the amounts allocated for 2017, these will be based on the bids which the Council submits to the Department. To date, expressions of interest in capital allocations for 2017 have been received only from eight (8) GWSs, including three of the large private schemes in mid Clare. The initiative to seek funding has to come from the groups as they own, and are responsible for, their networks. If there is a significant increase in expressions of interest from groups before the due date for submission of bids (which has yet to be notified to us), this will be reflected in the size of the programme for which a bid will be made."

The members stressed again that the time frame allotted to progress projects under the allocation was too short. The notification of the allocations were only received by Clare County Council at the end of August with a spend date of end of October directed. This is a totally unrealistic timeframe. The members also raised other queries in relation to the size of the grant and the costs per sewerage connection. All queries raised by the members were answered by S. Ward, Senior Engineer.

39. Comhfhreagras. Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 18th January, 2017 from the Valuation Office in relation to rate valuation on properties in County Clare.
2. Correspondence dated 11th January, 2017 from the Department of Environment, Community and Local Government in relation to commercial rates.
3. Correspondence dated 12th January, 2017 from Shannon Group in relation to the Board of Shannon Group.
4. Correspondence dated 9th January, 2017 from the Department of Communications, Climate Action & Environment in relation to salmon fishing in 2017.
5. Correspondence dated 19th January, 2017 from Inland Fisheries Ireland in relation to salmon fishing in 2017.
6. Correspondence dated 10th January, 2017 from the Health Service Executive concerning additional funding for Clarecare.
7. Correspondence dated 17th January, 2017 from the Department of Transport, Tourism and Sport in relation to funding to extend and upgrade roads in the county.
8. Correspondence dated 17th January, 2017 from the Department of Transport, Tourism and Sport in relation to the Board of Shannon Group.

9. Correspondence dated 6th January, 2017 from the Health Service Executive in relation to Shannodoc Services.
10. Correspondence dated 9th January, 2017 from Betty Devanny, Administrative Officer, Rural Development in relation to the Burial Ground Bye-Laws 2015 – County Clare.
11. Resolution from Longford County Council in relation to availability of Orkambi drug for CF sufferers.
12. Resolution from Monaghan County Council in relation to the Coroners Bill.
13. Resolution from Monaghan County Council in relation to public hospital waiting lists.
14. Resolution from Monaghan County Council in relation to the campaign of “Donegal Families for Justice”
15. Resolution from Monaghan County Council in relation to the Post Office network.
16. Resolution from Donegal County Council in relation to the Health Service Executive.
17. Resolution from Waterford City and County Council in relation to the Post Office Business Development Group.
18. Resolution from Tipperary County Council in relation to planning for Solar Photovoltaic energy production.
19. Resolution from South Dublin County Council in relation to regulating the use of bus lanes.
20. Resolution from South Dublin County Council in relation to amending legislation so that the status of asylum seekers/refugees can be decided in the shortest possible time.
21. AILG training dates for elected members 2017.
22. AILG training for elected members February 2017.
23. Conference entitled “2 Day Social Media Training for Councillors” being held in Clonakilty Hotel, Clonakilty, Co. Cork on 22nd & 23rd February, 2017.
24. National nZEB Conference entitled “Fast Track Delivery of Affordable Energy Efficient Social Housing” taking place in the Riverside Park Hotel, Enniscorthy, Co. Wexford on 2nd March, 2017.
25. Energy Action Fuel Poverty and Climate Action Conference taking place in Croke Park, Dublin on 6th March, 2017.
26. Conference entitled “The Fair Deal Scheme – What’s the deal with Nursing Home Care?” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 10th – 12th March, 2017.
27. Conference entitled “2 Day Microsoft Excel Workshop for Councillors” taking place in Clonakilty Hotel, Clonakilty, Co. Cork on 22nd & 23rd March, 2017.
28. Conference entitled “The Finance Act 2016” taking place in the Clonakilty Hotel, Clonakilty, Co. Cork on 24th – 26th March, 2017.
29. Cross Border Tourism Conference 2017 entitled “Growing your visitors – learning from the best” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 5th April, 2017.

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.

Training Seminar entitled “Tackling Japanese Knotweed – Functions of Local Authorities and NRA” taking place in Clonakilty Hotel, Clonakilty, Co. Cork on 27th – 29th January, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €612.65 including conference fee of €150.

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

Conference entitled “Economic Situation & Outlook – Teagasc” taking place in Athenry, Co. Galway on 31st January, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €104.49.

It was agreed that Cllr. C. Curtin attend this Conference.

AILG Training Seminar entitled “National Planning Framework Ireland 2040” taking place in Dooley’s Hotel, Waterford on 11th February, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €361.83 including conference fee of €50.

It was agreed that Cllrs. M. Hillery, P.J. Ryan, C. Curtin, P. McMahon, A. O’Callaghan, J. Cooney, C. Colleran Molloy, A. Norton, B. Chambers, P. Burke, P. Murphy, J. Breen, P. Daly, R. Nagle, C. Crowe and P.J. Kelly attend this Conference.

Conference entitled “The Challenge of Local Governance Modernisation” taking place in UCC on 16th February, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €289.21.

It was agreed that Cllrs. M. Hillery, P.J. Kelly and C. Curtin attend this Conference.

Conference entitled “The Fair Deal Scheme – What’s the deal with Nursing Home Care?” taking place in the Four Seasons Hotel, Carlingford, Co. Louth on 10th – 12th March, 2017.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €781.21 including conference fee of €100.

It was agreed that Cllr. A. Norton attend this Conference.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____