

**Minutes of the April Monthly Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 8<sup>th</sup> April, 2019 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, M. McKee, C. Curtin, R. Nagle, B. Slattery, P.J. Kelly, B. Chambers, G. Keating.

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O'Rourke, Assistant Staff Officer.
- Mr. Leonard Cleary, Director of Rural Development.
- Ms. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, A/Head of Finance.
- Mr. Brian McCarthy, Senior Planner.
- Ms. Siobhan McNulty, Senior Executive Officer, Social Development.
- Mr. Sean Lenihan, Senior Engineer, Project Management Office.
- Mr. John Leahy, Senior Engineer, Transportation.
- Mr. Cyril Feeney, Senior Engineer, Water Services.

The Cathaoirleach, Cllr. Michael Begley presided.

**Vote of sympathy.**

At the outset a vote of sympathy was extended to the following:

- The O'Callaghan family, Kilkishen, on the death of Tommy.
- The Roche family on the death of Bernadette.
- The Honan family, Ballycorick on the death of Mary.
- The Colleran family, Tralee on the death of Siobhan.
- The Curtin family Miltown Malbay, on the death of John.
- The Brennan family, Ennis on the death of Laura.
- The Regan family, Shannon on the death of Brendan.

As a mark of respect on the death of Alan O'Callaghans father, the meeting was adjourned for 15 minutes.

**Item 1: Minutes of Council Meetings.**

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

“That the Minutes of the March Meeting of Clare County Council held on 11<sup>th</sup> March, 2019 be adopted and signed.”

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

“That the Minutes of the adjourned March Meeting of Clare County Council held on 19<sup>th</sup> March, 2019 be adopted and signed.”

**Item 2: Matters Arising.**

**Clare Bus**

At the beginning A. Reynolds, Meetings Administrator read out the following resolution signed by Cllrs. P. Hayes, T. O’Brien, A. O’Callaghan, B. Chambers, T. McNamara and P.J. Kelly

“I am asking that Standing Orders be suspended today in order to discuss the critical issue of the future of Clare Bus and we propose that Clare County Council call on the Minister for Transport, Tourism and Sport, Mr. Shane Ross and the National Transport Authority to immediately rescind their decision not to award the contract for rural transport in this county to Feakle based Clare Bus.”

The following resolution was read out having been signed by Cllrs. P. Burke, J. Cooney, A. O’Callaghan, T. O’Brien and M. Begley.

“Under Standing Order No. 42 – wish to propose a motion to discuss the ongoing concern with the removal of the dispatch unit for “Clare Bus” from Co. Clare to Limerick.”

Cllr. P. Hayes outlined the background to this issue. He stated that the National Transport Agency has awarded the tender for the Transport Co-ordination Unit, which manages the Clare Bus fleet of buses, to a company in Newcastlewest, Co. Limerick. This Co-ordination Unit has in the past been run in Feakle employing 7 local people on a part time basis.

The elected members outlined the services provided by Clare Bus in meeting the social needs of the county in dealing with the elderly, youth and people with disabilities and advised the decision is being appealed to the National Transport Agency.

Disappointment was expressed at the lack of accountability by the Minister for Transport when these issues are raised. It was stated that the Minister should intervene and that the service based in East Clare should stay in the county. The members noted that Clare Bus is a registered charity and is a not for profit organisation that meets the needs of the marginalised in society who are reliant on connectivity from their homes to their services. It was also noted that as rural

transport is one of the targets in the Clare Rural Development Strategy, Clare County Council invested €60,000 in the Rural Transport Initiative of Clare Bus.

P. Dowling, Chief Executive stated that the Council executive will work closely with Clare Bus and will support them. He emphasised that this does not mean the abolition of Clare Bus but it is a significant change in the operating model of the Co-ordination Unit. He assured the members that the Council will be looking at every possible way to mitigate against the concerns raised to ensure that Clare Accessible Transport continues to provide a service into the future.

L. Cleary, Director of Rural Development stated that Clare Bus is focused on the rural community customer, that they have knowledge of clients needs and provide the personal touch as well as providing a solution to the rural transport requirements of their clients. He stated that the Rural Development Directorate will engage with the National Transport Authority to manage the situation and attempt to salvage the service.

It was agreed that the resolution will be forwarded to the Minister for Transport, Tourism and Sport and the National Transport Authority.

### **Item 3: Minutes of Municipal District Meetings.**

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

“That the Minutes of the Shannon Municipal District Meeting held on the 22<sup>nd</sup> January, 2019 be noted.”

b. Ar moladh Cllr. P. Burke  
Cuidithe ag Cllr. T. O’Brien agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 23<sup>rd</sup> January, 2019 be noted.”

c. Ar moladh Cllr. R. Nagle  
Cuidithe ag Cllr. B. Slattery agus glacadh leis

“That the Minutes of the West Clare Municipal District Meeting held on the 30<sup>th</sup> January, 2019 be noted.”

d. Ar moladh Cllr. P. Daly  
Cuidithe ag Cllr. M. Howard agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 12<sup>th</sup> February, 2019 be noted.”

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

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

“That the minutes of the Economic Development S.P.C. meeting held on 11<sup>th</sup> February, 2019 be noted”.

**Item 5: Minutes of the Corporate Policy Group Meetings.**

The members noted the minutes of the meeting held on 4<sup>th</sup> March, 2019 as presented.

**Item 6: Monthly Management Report.**

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

Cllr. C. Crowe requested an update on the reason people would be removed from the Register of Electors.

Cllr. C. Crowe also requested an update in relation to applications for mobility and adaptation grants for housing applicants.

P. Dowling, Chief Executive stated that completed application forms are being accepted and that the Council are seeking additional funds.

S. McNulty, Senior Executive Officer, Social Development informed the members that 45 new applications have been received to date this year for priority one funding. There are 360 applications on hand that need to be processed. €2.2m has been allocated for 2019 but the Council has not received this allocation and extra funding is required.

Cllr. G. Flynn stated that there is pressure on resources and that extra funding is needed to allow officials to progress the traunch of applications.

Cllr. J. Flynn commended the services being provided by the Social Directorate in relation to the homeless unit and the turn around in vacant houses. Cllr. Flynn sought an update on the wood burning heating system at Council HQ. C. Kirby, Director of Physical Development stated that the wood burning maintenance issue has been resolved.

Cllr. P. Burke requested a timeframe in relation to Killaloe Bridge and By Pass. Sean Lenihan, Senior Engineer, Project Management Office stated that RPS were appointed last summer to prepare a detailed design as part of the scheme and prepare tender documentation. This work should be completed in August. It is hoped that this will go to tender in late December or January, that tenders will be returned and evaluated this time next year and contractors will be appointed as soon as possible after that.

Cllr. C. Curtin commended the work being done by the Physical Directorate in relation to the invasive plant species. He sought a date for the implementation of the speed limit bye laws and queried who has responsibility for erecting new signage. John Leahy in response, stated that the Speed Limit Review has to be implemented before the 1<sup>st</sup> June and that T.I.I. are responsible for erecting signage on National

Routes and non national routes will be managed by each Municipal District during the month of May.

Cllr. C. Colleran Molloy sought clarification on homeless figures. S. McNulty, Senior Executive Officer, Social Development stated that there are currently 75 adults and 33 children in emergency accommodation. She advised the meeting that the Council has exceeded its target for acquisition of housing units as 38 units have already been purchased and an increase in allocation has been sought from the Department.

**Item 7: Disposal of property at 72 Marian Estate, Kilkee, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at 72 Marian Estate, Kilkee, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at 72 Marian Estate, Kilkee, Co. Clare subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> March, 2019.”

**Item 8: Disposal of property at 12 Dun an Oir, Kilkishen, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at 12 Dun an Oir, Kilkishen, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at 12 Dun an Oir, Kilkishen, Co. Clare subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> March, 2019.”

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

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Caherhurley, Bodyke, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at Caherhurley, Bodyke, Co. Clare subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> March, 2019.”

**Item 10: Disposal of property at Corleamore, Flagmount, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Corleamore, Flagmount, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at Corleamore, Flagmount, Co. Clare subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> March, 2019.”

**Item 11: Disposal of property at 12 Finian Park, Shannon, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at 12 Finian Park, Shannon, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property at 12 Finian Park, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 27<sup>th</sup> March, 2019.”

**Item 12: Disposal of property at Market House, Scarriff, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Market House, Scarriff, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property by means of lease at Market House, Scarriff, Co. Clare subject to the conditions as set out in the notice served on the members dated 13<sup>th</sup> March, 2019.”

**Item 13: Disposal of property at Mill House, Mill Road, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.**

Report dated 27<sup>th</sup> March, 2019 from Anne Haugh, Director of Social Development was circulated with the agenda together with map. The report states that it is proposed to dispose of property at Mill House, Mill Road, Ennis, Co. Clare.

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

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of property by means of lease at Mill House, Mill Road, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 12<sup>th</sup> March, 2019.”

**Item 14: 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 redevelopment of two existing office building units into one building for the purpose of provision of an educational facility at Bindon Court, Harmony Row and 1 Bindon Street, Lifford, Ennis, Co. Clare.**

Report dated 29<sup>th</sup> March, 2019 from Carmel Greene, Senior Executive Officer, Economic Development Directorate was circulated with the agenda together with report of the Senior Planner. The report outlines details of the amalgamation and change of use of two existing office buildings into a third level education facility with ancillary office space. The proposed development will be occupied by Limerick Institute of Technology (L.I.T.) as its Ennis Campus.

Ar moladh Cllr. M. Howard  
Cuidithe ag Cllr. J. Flynn 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 redevelopment of two existing office building units into one building for the purpose of provision of an educational facility at Bindon Court, Harmony Row and 1 Bindon Street, Lifford, Ennis, Co. Clare.”

**Item 15: Cliffs of Moher Centre Ltd.**

Report dated 3<sup>rd</sup> April, 2019 from Leonard Cleary, Director of Rural Development was circulated with the agenda together with review report in relation to the Cliffs of Moher Centre Ltd. Prepared for Clare County Council by Midwest Corporate Services Limited (M.C.S.L.).

The report states that the Cliffs of Moher Centre Ltd. is special purpose vehicle for the employment of staff to operate the Cliffs of Moher Visitor Experience. It is fully owned by Clare County Council.

The Cliffs of Moher Centre Ltd has performed very well and the visitor experience is self-funding in all of it's operations. It has recently received approval from the elected members of Clare County Council to expand its board of directors and to begin a new strategic planning and development process for the benefit of the wider tourism industry.

The M.C.S.L. review takes account of these changes. In Section 3.4.3 of the review, M.C.S.L. recommend some amendments to the existing constitution of the Cliffs of Moher Centre Ltd. The report continues that it is recommended that Clare County Council pass a resolution to amend the Constitution whereby the main changes will be as outlined in Section 3.4.3. This resolution will then be presented to the next meeting of the board of directors of Cliffs of Moher Centre Ltd.

The report also states that Clare County Council engaged an independent audit company (Deloitte) to examine key aspects of the Cliffs of Moher Centre Ltd. These included Governance, Internal Financial Controls and Information Technology (I.T.) processes within the Cliffs of Moher Visitor Centre. The Deloitte Report was prepared to determine the appropriateness of the internal control environment in place, to inform on the current internal control arrangements and to issue recommendations based on its' findings.

Ar moladh Cllr. C. Crowe

Cuidithe ag Cllr. B. Slattery agus glacadh leis

“Clare County Council hereby adopts a resolution in relation to the amendment of the Constitution of Cliffs of Moher Centre Ltd. whereby the main changes will be as follows: -

- (a) The nomination of new Directors for appointment to the Board of the Company or a change in Directors, Chairperson or Secretary shall require the prior recommendation and agreement of the Chief Executive of Clare County Council and the Director of Services to whom the Cliffs of Moher function is delegated within Clare County Council. This requires a signed Chief Executive Order of Clare County Council.
- (b) The nomination of elected members as new Directors for appointment to the Board of the Company or a change in elected members as Directors of the Company requires the prior recommendation and agreement of a full meeting of the Elected Members of Clare County Council. This requires a signed Resolution of Council. The term of services of elected members as Directors will align with the term of Council (ordinarily five years) and will be renewed or changed at the Annual General meeting of Clare County Council.



(c) Board membership is to be reviews after a three-year term and any re-appointment of Directors subject to (a) and (b) above.

(d) Unless and until otherwise determined by the Company in General Meeting the number of Directors shall not be less than two or more than twelve.”

The members noted the economic benefit being experienced in the county due to tour operators incorporating an overnight and second tourist attraction in their schedules.

L. Cleary, Director of Rural Development informed the meeting that the Tourism Strategy for the County is at the initial phase of consultation and that workshops have been held in various locations.

It was also noted that tour operators should be advised to travel on regional routes as some rural roads are being used as rat runs and this is having a negative impact on rural communities as well as damaging rural roads.

**Item 16: Issuing of Polling Cards – Local and European Elections 2019.**

Report dated 29<sup>th</sup> March, 2019 from Ann Reynolds, A/Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that it is a reserved function of the Council to decide whether or not to issue Polling Information Cards for the forthcoming Local and European Elections on 24<sup>th</sup> May, 2019.

The report continues that Section 27 of the Local Government Act 2001 and Article 55 of the Local Elections Regulations 1995 (as amended) provide the statutory basis for the making of a decision on this matter by the Council. The report recommends that Polling Information Cards be issued as at previous elections.

Ar moladh Cllr. C. Crowe  
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

“That Clare County Council issue Polling Information Cards pursuant to Section 27 and Section 54 of the Local Government Act 2001 and Article 55 of the Local Elections Regulations 1995 (as amended).”

**Item 17: Requests for Mayoral/Civic Receptions.**

Report from Ann Reynolds, A/Senior Executive Officer, Corporate Services was circulated with the agenda. The report states that Cllr. A. Norton and Cllr. M. Howard have requested that a Civic Reception be awarded to Emma Barrett, Special Olympics who won a Gold Medal in Swimming, and Marguerite Moroney (Mairead) and Jean Molony, Special Olympics who won Silver Medals in Golf.

Cllr. J. Cooney has requested that a Mayoral Reception be awarded to Noel McNamara, Head Coach of the Irish under 20 rugby team who won the Under 20 Six Nations Grand Slam 2019.

It was confirmed that C.P.G. recommended the award of a joint civic reception following the May Council Meeting, and was agreed by all.

**Item 18: Schedule of Municipal District Works (SMDW) for 2019.**

The Schedule of Municipal District Works as previously circulated was noted having been proposed by Cllr. C. Crowe and seconded by Cllr. A. O’Callaghan.

**Item 19: Deputation on “Climate Action in Clare” at 3.00 p.m.**

The Cathaoirleach informed the members that at the March Council meeting it was agreed that the young voices that organised the recent Clare climate change school strike would be invited to address the Council meeting. He introduced Kate Harty, Katie Duson, Eleanor Dagnall-Wise, Áine Dempsey and Wiame Kanane students from Coláiste Muire Secondary School, Ennis.

A presentation on Climate Action in Clare was presented to the members and suggestions for the future for sustainable development were outlined.

The elected members thanked the students for attending the Council meeting and requested that they return in one year and provide an update on their proposals.

**Item 20: Commemoration of 120th anniversary of the first meeting of Clare County Council in April 1899 following the enactment of the Local Government (Ireland) Act, 1898 at 6:30 p.m.**

Ann Reynolds, Meetings Administrator introduced this item. She informed the meeting that April 2019 marks the anniversary of the first local elections following the enactment of the Local Government (Ireland) Act, 1898. She stated that there were substantial celebrations and events to mark the centenary of this occasion which included a national programme of commemorative activities such as a travelling exhibition, commemorative stamps and an official centenary logo, it was felt that it is important that the 120<sup>th</sup> anniversary should also be marked and acknowledged.

The original hard copy of the ‘Clare Journal’ newspaper from 10<sup>th</sup> April, 1899 giving the election results was taken from the Councils Archives by Ellen Scaife and was on display. On display in the Atrium were the original copy of the Act for amending the law relating to Local Government in Ireland and the original copy of the minutes of the first Council meeting.

Pat Dowling, Chief Executive provided a short introduction on the 120<sup>th</sup> anniversary and the significance of this occasion for local government. Motions contained in the minutes of the first Council meeting were read by Councillors present.

Dr. John Treacy provided a brief talk on the historical significance of the first meeting in the context of his current role as author of “The Story of Clare and its People”.

**Item 21: University Hospital Limerick.**

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

“In view of the fact that Limerick Regional Hospital has the largest amount of people waiting on trollies for admission, that this Council propose a vote of no confidence on the Minister for Health, Mr. Simon Harris.”

The following counter motion was submitted having been signed by Cllrs. J. Flynn, P. Murphy, J. Crowe, J. Cooney and M. Howard.

“In view of the fact that limerick Regional Hospital has the largest amount of people waiting on trollies for admission, that this Council propose a vote of no confidence in the management of Limerick Regional Hospital.”

The Cathaoirleach ruled that under Standing Order No. 29 this was not in order as an amendment as it departs from the central theme of the original motion.

Cllr. T. McNamara informed the meeting that this notice of motion was originally submitted by Cllr. J. Breen at the January Council Meeting. Following discussion at the January meeting the elected members requested that this be deferred pending the arrangement of a meeting with Minister Harris and the four members of Clare County Council on the HSE West Forum. This meeting was held on 7<sup>th</sup> March and the four items on the agenda were discussed (a) overcrowding in the emergency unit of University Hospital Limerick, (b) delivery of Primary Care Centres in Clare, (c) the provision of dialysis services at University Hospital Ennis and (d) the upgrading of Ennis to a Model 3 hospital.

Cllr. McNamara stated that at the meeting the members outlined the difficulties that the people of Clare were experiencing in relation to the delivery of health services in the county. With regards to the Emergency Unit at University Hospital Limerick, the members stressed the need to confirm the absolute necessity to allocate without delay the €17.5m for the construction of the proposed 60-bed modular unit on site. The Minister confirmed the relevant allocation would be confirmed in the National Service Plan 2019 (NSP 2019) and that, in the interim, hospital management could proceed with the signing of construction contracts for the project. He also stated that the additional 96 acute-bed unit at the hospital would be completed by 2022.

In relation to the development of Primary Care Centres in Clare, the Minister confirmed one such centre was under development in Sixmilebridge, two Ennis-based centres would proceed to planning in the coming weeks, centres in Ennistymon and Killaloe/Ballina are at planning stage, and he said he was very pleased to announce that the Primary Care Centre in Kilrush would be going out for expressions of interest in the near future.

With regards to the dialysis services at UH Ennis, the Minister stated that the service was part of the UL Hospitals Group Strategic Plan 2018-2022 and that he would endeavour to ensure that there will be future funding secured to deliver the service.

The members outlined that the difficulty that the Model 4 Hospital in Limerick is experiencing as it is the only hospital group in Ireland that is not supported by a Model 3 Hospital. The Minister ensured the members that services would be developed at UH Ennis in line with other similar Model 2 Hospitals around the country and he provided a commitment to examining the overall Hospital Group areas with a view to increasing the area, population and scope of the Mid West Hospital Group in order to facilitate a Model 3 Hospital in the region.

Cllr. T. McNamara expressed grave concern that there were 81 people waiting on trollies in University Hospital Limerick during the last week and that 17 beds have been closed in the hospital within the last two weeks. In light of these recent developments Cllr. McNamara stated that he has lost confidence in Minister Harris and he would be supporting the notice of motion submitted by Cllr. Breen.

Cllrs. C. Crowe, A. Norton, M. McKee, A. O'Callaghan, C. Collieran Molloy, C. Curtin, P.J. Ryan, R. Nagle, P.J. Kelly, P. Hayes, G. Flynn and M. Begley joined in the discussion and outlined various reasons for supporting Cllr. Breen's proposal.

Compliments were extended to the four elected members who met with Minister Harris. It was noted that this issue requires top level intervention, patients in University Hospital Limerick have no privacy, the embargo that has been announced could be long term, public confidence in the health service is very low, University Hospital Limerick is not fit to cater for the population and that conditions for staff and patients are intolerable.

Cllr. J. Flynn stated that Minister Harris did not set up the H.S.E. and accepted that the situation in the Emergency Unit at University Hospital Limerick is horrendous. He informed the meeting that supporting the vote of no confidence will not address the issues being raised and also expressed disappointment with the attitude of An Taoiseach towards Ennis A & E.

Cllr. J. Cooney acknowledged that the problem is dis-improving, this is a serious issue that needs to be addressed and if the 17 beds were re-opened it would alleviate some pressures being experienced.

Cllr. P. Burke stated that Prof. Paul Burke, Chief Clinical Director, of the UL Hospitals Group has issued an appeal to members of the public to use other services such as the Medical Assessment Unit and the Local Injury Units instead of going to the Emergency Department in University Hospital Limerick. He stated that GP's are referring patients to the Emergency Department in University Hospital Limerick. Cllr. P. Burke continued that he would not be supporting a vote of no confidence in Minister Harris.

The Cathaoirleach called a vote on the proposal which resulted as follows:

**In favour:** Cllrs. J. Breen, A. Norton, T. McNamara, C. Collieran Molloy, P. Hayes, T. O'Brien, A. O'Callaghan, C. Crowe, G. Flynn, P.J. Ryan, M. McKee, C. Curtin, R. Nagle, P.J. Kelly (14)

**Against:** Cllrs. J. Flynn, M. Howard, P. Murphy, J. Cooney, P. Burke, J. Crowe, B. Slattery, G. Keating (8)

**Abstentions:** Cllr. M. Begley (1)

**Not Present:** Cllrs. P. Daly, P. McMahon, I. Lynch, M. Hillery, B. Chambers. (5)

The Cathaoirleach declared the motion carried.

**The following correspondence was circulated at the meeting:**

- Details of Sheehy Skeffington School 2019 entitled "Rediscovering Democracy and the Common Good: The Contribution of Human Rights" taking place on 10<sup>th</sup> May, from 17:15 – 19:45 in The Teachers Club, 36

Parnell Square West, Dublin 1.

**Adjourned Meeting.**

It was agreed that the adjourned April meeting will be held on Monday, 15<sup>th</sup> April, 2019 at 2:00 p.m.

The meeting then concluded.

**Signed:** \_\_\_\_\_  
**Riarthóir Cruinnithe**

**Signed:** \_\_\_\_\_  
**Cathaoirleach**

**Date:** \_\_\_\_\_

**Minutes of the adjourned April Meeting of Clare County Council held in the Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare on Monday, 15<sup>th</sup> April, 2019 at 2:00 p.m.**

**Present:**

Councillors J. Breen, J. Flynn, P. Daly, T. McNamara, M. Howard, P. Murphy, C. Colleran Molloy, J. Cooney, P. Hayes, M. Begley, T. O'Brien, P. Burke, C. Crowe, J. Crowe, G. Flynn, P.J. Ryan, P. McMahan, C. Curtin, R. Nagle, B. Slattery, P.J. Kelly, B. Chambers.

- Ms. Carmel Kirby, Deputy Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O'Rourke, Assistant Staff Officer.
- Mr. Leonard Cleary, Director of Rural Development.
- Mr. Noeleen Fitzgerald, A/Head of Finance.
- Mr. Brian McCarthy, Senior Planner.
- Ms. Siobhan McNulty, Senior Executive Officer, Social Development.
- Mr. Cyril Feeney, Senior Engineer, Water Services.
- Mr. Eamon O'Dea, Senior Executive Engineer, Physical Directorate.
- Mr. Liam O'Connor, Administrative Officer, Social Development.

**Apologies:** Cllr. A. Norton

The Cathaoirleach, Cllr. Michael Begley presided.

**Item 22. Dog fouling.**

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

“I am proposing that Clare County Council erect signage informing the public of the dangers that can be associated with dog fouling, at some of our popular dog walking trails/pathways across the county (i.e. Ballybeg Woods, Ballyallia, Lees Road, Tim Smythe Park, Clarecastle Quay, Clarisford Park and Scarriff Riverwalk, also to include our beaches and cliffwalks).”

**Carmel Kirby, Director of Physical Development replied as follows:**

“We currently have many signs and notices in communities across the county including amenity areas such as Blue Flags beaches, public parks etc. These notices remind dog owners of their responsibilities relating to dog fouling.

In recent years Clare County Council has rolled out the Green Dog Walker (G.D.W.) Campaign. This G.D.W. initiative encourages dog owners to clean up after their animals and is a non-confrontational, friendly way to change dog owner behaviour in

relation to dog litter. People pledge to be a Green Dog Walker to receive a free pack. A Green Dog Walker pack contains a complimentary G.D.W. high-vis vest, poop scoop bags and an information leaflet. It is a fantastic tool to help individuals and local community groups raise awareness in a positive way within their own community. Clare County Council provides G.D.W. packs to community groups for free and will continue to support communities with rolling out this initiative in their own community.

To support the G.D.W. campaign this year a harder hitting campaign is currently being developed. This is due to be launched in the coming weeks and will form the basis of an ongoing media campaign including social media campaign. It will coincide with a countywide enforcement campaign where problem areas will be targeted initially by Environmental Enforcement Officers. Public will be made aware that officers will be on the ground and will be asking people to demonstrate how they clean up after their dog.

It is believed that this three layered approach will have a far reaching effect in terms of long term behavioural change.”

The elected members requested that an education awareness campaign be launched to advise the public on the health issues associated with dog fouling. It was suggested that an information leaflet should issue with dog licences as it is the owners responsibility to clean up after their dogs. It was also suggested that receptacles be provided at public amenities.

C. Kirby, Deputy Chief Executive stated that the Physical Directorate will explore the possibility of providing more receptacles at public amenities and will review the distribution of information leaflets.

It was agreed that items No. 23 and 24 be taken together.

**Item 23. LED lighting.**

Ar moladh Cllr. C. Curtin

“That the Director of Services update the Council on the current installation of LED lighting in the towns and villages of Clare and the programme planned for 2019.”

**Item 24. LED lighting.**

This item was proposed by Cllr. C. Curtin in the absence of Cllr. M. Hillery.

"That the management of Clare County Council would give a progress report of the changeover of the 1400 public lights to LED technology which is the largest energy consumption component of the local authority infrastructure with an overall budget of €1.524 million for 2019.”

**John Leahy, Senior Engineer, Transportation Development replied as follows:**

“Clare County Council currently have 14,047 public lights in their charge, and of this total 2,088 have been changed to LED’s. This equates to 14.9% of public lights which have now been converted to LED’s.

Funding from the Transport Infrastructure Ireland has been received to upgrade existing public lights to LED's on the national secondary routes at the following locations in 2019:

1. N85/N67 Main street in Ennistymon from the Council Municipal District Office to the Kerry Agri Farm Store.
2. N67 Main street in Lahinch.
3. N67 from the Square in Miltown Malbay to Vaughans filling station on the Lahinch Road.
4. N68 Knockalough Cross
5. N67 St. Flannan's church, Garraun.

The programme for public lighting upgrade for 2019 will initially be to continue changing only lights that require replacement to LED units through the maintenance contract. The national public lighting contract for Region 1 is expected to be going out to tender in the 3rd/4th quarter of 2019 with commencement currently programmed for Q1 2020. Clare are included in Region 1 for the national upgrade and it is anticipated that all public lights will be changed to LED in the county within a 2 year period."

Cllr. C. Curtin stated that this is a significant development on the N68, N85 and N67.

#### **Item 25. Public footpaths.**

Ar moladh Cllr. J. Crowe

Cuidithe ag Cllrs. J. Cooney agus G. Keating agus glacadh leis

"That Clare County Council carry out a report on the condition of all public footpaths in the county."

#### **John Leahy, Senior Engineer, Transportation Directorate replied as follows:**

"Footpath condition is assessed regularly by the Municipal District technical staff. A programme with a priority list is devised each year in each Municipal District so that when funding is allocated these projects can be delivered. A fund of €1.6m was available from IPBMI in 2018 for footpath remediation. The total allocation from IPBMI for the remediation of footpaths for 2019 is presently unknown and a programme of works will be developed when we become aware of the dividend value. Discretionary Grant funding as well as funds allocated by G.M.A. are also used for footpath refurbishment."

#### **Item 26. Sewerage schemes.**

Due to the absence of Cllr. G. Keating, it was agreed to defer this item to the May agenda.

"That this Council provide an update on sourcing funding for sewerage schemes for towns and villages which currently lack this vital infrastructure. This basic service is vital to sustain and promote the communities which live in rural Clare."

#### **Item 27. Proposals for economic development of West Clare Electoral area.**



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

“That the Council under the following headings detail its proposals for economic development of West Clare Electoral Area:

- (a) for large villages and towns
- (b) for smaller villages
- (c) for rural areas
- (d) for Shannon estuary
- (e) for post coal burning etc. in Moneypoint.”

**Liam Conneally, Director of Economic Development replied as follows:**

“I refer to my response to the Notice of Motion of 21<sup>st</sup> February 2019 which presented in detail the Council’s Economic Plans for the new West Clare area where I outlined the many plans and strategies that are currently in place each playing their part in the overall economic future for the West Clare area. Specific proposals for economic development initiatives are facilitated and provided for through the Local Economic and Community Plan and the Clare County Development Plan 2017-2023. Volume 1 – Written Statement of the Development Plan sets out a comprehensive series of objectives in Chapter 6 Economic Development and Enterprise which support and promote the economic development of both the rural and settlement areas of West Clare. Specific objectives in this regard are set out in relation to the Shannon Estuary, Moneypoint Power Station, as well as those which support the development of the Clare Digital Hub network, research, innovation and enterprise, the provision of zoned land for employment generating uses, the re-use of brownfield sites and to facilitate and encourage rural enterprise. In addition, Volume 3d West Clare Municipal District Written Statement and Settlement Maps sets out specific objectives for each settlement along with the appropriate zoning of lands for economic and enterprise uses. To facilitate economic development there is a total of 45.10 ha land zoned for Commercial uses, 50.04 ha zoned for Enterprise, 22.35ha for Industry and 135.09ha for Mixed Use within the settlements of the West Clare area.

There are strategic projects proposed which will have broad ranging positive impacts on the overall economic development of the West Clare area, both within settlements (at all levels of the settlement hierarchy) and the rural areas, making it difficult to consider each settlement in isolation, examples of which include the impact of proposed projects as a result of the implementation of the key objectives of the Strategic Integrated Framework Plan for the Shannon Estuary (S.I.F.P.) as they apply to County Clare, similarly for projects which emerge out of the proposed County Tourism Strategy. The R.R.D.F. funded projects for the County, of which four out of the five projects approved are in the West Clare area and include Lahinch Seaworld and Town Upgrade project (€2.86m), Loop Head Visitor Attraction (€865,500), Vandeleur Estate, Kilrush (€1.72m) and Doolin Pier Visitor Centre (€465,571) and the Historic Town Initiative funded project in Kilrush will not only benefit these locations, but will provide a wider benefit to the rural areas and villages as they further complement the overall tourism product and contribute to the overall cumulative economic benefit throughout the West Clare area. In tandem with these major projects and key to the economic development of towns and villages is public realm enhancements to create attractive towns and villages, which create places where

people want to live which in turn generates vibrancy and vitality. Investment in public realm enhancements are key and the Council is committed to supporting projects of this nature.

### Shannon Estuary

Clare County Council is committed to the implementation of the Strategic Integrated Framework Plan for the Shannon Estuary (S.I.F.P.) which identifies both Moneypoint Power Station and Cahiracon as Strategic Development Areas, both of which are zoned for Maritime Related Industry within the Clare County Development Plan 2017-2023 (as varied).

### Cahiracon

The existing infrastructure at this location, coupled with well sheltered deep water presents a significant opportunity for the development of a Maritime Centre of Excellence which will provide specialist infrastructure, accommodation and R&D (research and development) space for a range of complementary maritime-related niche businesses and services. The Council through the Economic Directorate has been central to building on this potential and is centrally involved in the initial phase of the development of a national Cruise College, Field Research Centre and opportunity for renewable energy test device development. €1.7m of funding has been secured from Enterprise Ireland to progress this project in the coming months which will generate very significant economic benefits for the villages along the Shannon Estuary, including Killadysart and Labasheeda. A more detailed analysis of the Cahiracon development proposal is currently being prepared by the Council.

### Moneypoint Power Station

Moneypoint Power Station is a Strategic Development Area and zoned for Maritime Related Industry and Clare County Council is committed to safeguarding its contribution to the efficient generation of electricity into the future and regular and ongoing engagement with E.S.B. Management seeks to assist in identifying a new energy generation. This response should be read in conjunction with my response to Motion no. 28 on the Clar.”

Cllr. P.J. Kelly expressed his dis-satisfaction with the reply and expressed concern in relation to jobs at risk in Moneypoint.

B. McCarthy, Senior Planner stated that the reply outlines a flavour of some of the work being done on Shannon Estuary and Cahiracon and that the Council are working closely with the E.S.B. regarding Moneypoint.

C. Kirby, Deputy Chief Executive informed the meeting that the Council has no say in relation to coal burning at Moneypoint. She emphasised that the Council are engaging with Moneypoint and that the Chief Executive and Directors are speaking with a variety of stakeholders in the context of Moneypoint and Cahiracon.

## **Item 28. Potential new roles at Roche and Moneypoint.**

Ar moladh Cllr. C. Crowe

“To ask the Chief Executive what precise efforts Clare County Council have undertaken to facilitate potential new roles at the Roche plant in Clarecastle and the E.S.B. Power Station at Moneypoint?”

**Liam Conneally, Director of Economic Development replied as follows:**

“Since the announcement by Roche in 2016 of their plans to cease operations in Clarecastle there has been ongoing dialogue between Clare County Council and Senior Management at the Roche facility.

In planning policy terms the Clare County Development Plan 2017-2023 has responded proactively and identified the Roche site as an Opportunity Site, zoning lands at the plant and surrounding area in a manner to facilitate a wide range of potential economic development opportunities. The Chief Executive and Senior Management of Clare County Council have engaged proactively with Roche management with a view to maximizing potential development opportunities of the site and infrastructure. In addition it is anticipated that the Ennis 2040 Plan, a draft of which is expected shortly, will have a particular focus on the Roche site, identifying it as an opportunity site and setting out a vision for a range of new enterprise roles.

The Shannon Estuary Integrated Framework Plan (S.I.F.P.) for the Shannon Estuary (2015) designated Moneypoint and the lands adjacent for Marine Related Industry, prioritising the facility as one of 6 sites in the Estuary across three counties. Clare County Council leads the marketing group of the S.I.F.P. and in collaboration with E.S.B. and a range of stakeholders, continues to promote the potential of the Moneypoint facility worldwide. In July 2018, the Chief Executive, Senior Planner and I met with the Moneypoint Management Team to discuss further the opportunities of the facility, its deep water port and the adjoining zoned lands for the potential next phases of the evolution of the national asset. Since then a number of follow on discussions have taken place and Clare County Council is committed to playing a central role in ensuring the hugely significant economic, energy generation asset and infrastructure is maintained for the benefit of County Clare and the Irish State.”

Cllr. C. Crowe requested that the elected members be kept informed on review of these items.

**Item 29. Council houses.**

Ar moladh Cllr. P.J. Ryan

“That this Council would provide me with a list of available 1 and 2 bedroom Council houses in the county at the moment and also are there any plans to build same. I would also like information on how many people are on the housing list including partners and dependents at present.”

**Siobhán McNulty, A/Director of Social Development replied as follows:**

“Detail on the number of council owned 1 and 2 bedroom properties as per the table hereunder:

|                  | <b>1 bed</b> | <b>2 bed</b> |
|------------------|--------------|--------------|
| <b>Allocated</b> | 2            | 2            |
| <b>Occupied</b>  | 205          | 647          |
| <b>Vacant</b>    | 13           | 26           |

It is intended to build 69 x 2 bedroom properties in the current approved capital schemes.

At the time of this reply there are a total of 2,683 households on the housing list comprising of 3,679 adults and 2,227 children. This figure includes all applicants on the transfer list; the nett number of households is 1,180 comprising of 1,499 adults and 829 children.

The housing need of 1,503 households (2,180 adults and 1,398 children) is currently met.”

Cllr. P.J. Ryan queried the location of the vacant properties.

S. McNulty, Senior Executive Officer, Social Development agreed to revert to Cllr. Ryan with this information and stated that page 8 of the monthly management report provides an update on capital projects each of which contains a mix of 2, 3 and 4 bedroom properties. She also informed the members that there is a HAP Placefinder based in the Social Directorate who assists people in finding accommodation.

### **Item 30. Rebuild Ireland Home Loan Scheme.**

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

“That Clare County Council give a summary in relation to the “rebuild Ireland home loan scheme”. Please outline the progress to date in relations to applications, approvals, rejections, timelines, funds available and likely outcomes for 2019 and any other relevant information.”

#### **Anne Haugh, Director of Social Development replied as follows:**

“The Rebuilding Ireland Home Loan scheme was introduced in early 2018. The loan offers a fixed rate for credit worthy low to middle income first time buyers with a view to making home ownership more affordable. There are three interest rates currently available, which are exclusive of Mortgage Protection Insurance:

- 2% fixed for up to 25 years;
- 2.25% fixed for up to 30 years
- 2.30% variable for up to 30 years

The fixed rates provide greater affordability and certainty in terms of repayments for borrowers.

There has been significant interest in the scheme to date, with 72 valid completed applications having been processed up to the March 31<sup>st</sup>, 2019. To date 40 of these applications have been approved, and 18 of these approvals have progressed to drawdown stage with a value of €2,249,124.28.

27 loan applications have been refused and 5 loan applications have yet to go before the Council's credit committee for consideration. In terms of timelines, applicants have 6 months from the date of their loan approval to secure a property.

Nationally a sum of €200m was borrowed by the Housing Finance Agency (H.F.A.) to support the loan scheme over a three year period. The scheme has proved to be far more successful than anticipated and the level of funding issued by local authorities up to early March 2019 was approximately €106m, which was ahead of profile.

The Department of Housing, Planning and Local Government wrote to all local authorities on March 7<sup>th</sup>, 2019 and indicated that the Minister was in discussions with the Minister for Finance, Public Expenditure and Reform regarding further funding ahead of the anticipated full drawdown of the original allocation of €200m later this year.

The communication from the Department added that the scheme remains in full operation and all local authorities should continue to receive and process applications.”

Cllr. T. McNamara stated that 27 refusals is a lot and asked if all applications have to go to the Department for approval. He stated that it is costing people more to pay rent than it would to pay a mortgage.

Cllr. P.J. Ryan stated that this is a great initiative but clarification is needed on some conditions.

In response to queries from Cllr. McNamara and Cllr. Ryan, Liam O'Connor stated that the majority of refusals under the Rebuilding Ireland Home Loan Scheme were due to income ratio. Most of the refusals occurred in the early months of the scheme and the level of refusals had declined. Applications are forwarded to the Housing Agency for credit check, who will make a recommendation to refuse or approve an application, however the ultimate decision in relation to the loan application lies with the Council's credit committee. If an applicant has previously defaulted on a loan it may affect their loan application.

### **Item 31. Tender process.**

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllr. J. Flynn agus glacadh leis

“I am calling on the Council to encourage small contractors who are tax compliant and suitably qualified to tender for available contracts within Clare County Council as the current policy and the process I am being informed is not fit for purpose.”

**Ann Reynolds, A/Senior Executive Officer, Corporate Services replied as follows:**

“The goal of public procurement is to award timely and cost-effective contracts to qualified contractors, suppliers and service providers for the provision of goods,

works and services to support government and public services operations, in accordance with principles and procedures established in public procurement rules.

Small and medium-sized enterprises (SMEs) represent over 99% of businesses in the EU so it is crucial to support their growth and innovation. Clare County Council encourages all contractors to register on the relevant procurement portals i.e. Supply Gov, eTenders etc in order to be informed of all competitions being advertised. One of the objectives of Clare County Council's Corporate Procurement Plan 2019 to 2021 is to increase engagement with local businesses and suppliers. As a first step to achieving this objective Clare County Council's Local Enterprise Office in conjunction with Inter Trade Ireland will host a half day's seminar aimed specifically at small business owners who are new to public sector tendering. **(Intro to Tendering - 15<sup>th</sup> May, 2019 in The Templegate Hotel, Ennis)**. It is proposed to continue working closely with the Local Enterprise Office in an effort to provide further procurement training support to small and medium-sized enterprises."

N. Fitzgerald, A/Head of Finance informed the meeting that the Intro to Tendering is taking place from 9:30 a.m. – 1:30 p.m. on 15<sup>th</sup> May next, bookings can be made through the Council's LEO Office and small business owners who are new to public sector tendering are encouraged to attend.

In response to query by Cllr. P.J. Ryan in relation to how much control Clare County Council has over tendering, C. Kirby, Deputy Chief Executive stated that the Council has to follow national guidelines. She also stated that LEO will provide additional supports to small businesses.

### **Item 32. Commission on the Future of Policing in Ireland.**

Ar moladh Cllr. J. Breen

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

"That Clare County Council invite the Chairperson of the Commission on the Future of Policing in Ireland to a statutory meeting to outline the recommendations and implications of their report for the delivery of policing service under An Garda Síochána in Clare."

The elected members agreed on the importance of having gardai visible on the beat.

### **Item 33. Value for money audits on capital projects.**

Ar moladh Cllr. M. Howard

Cuidithe ag Cllr. P. Murphy agus glacadh leis

"The Council requests our Government to resource the Comptroller and Auditor General's Office to undertake the real time value for money audits on all capital projects that are using tax payers money."

### **Item 34. Suicide Prevention Authority.**

Ar moladh Cllr. M. Howard

Cuidithe ag Cllr. J. Flynn agus glacadh leis

"This Council requests our Government to set up a Suicide Prevention Authority."

**Item 35. Rating for housing.**

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllr. G. Flynn agus glacadh leis

“NCT for housing needed to protect residents and house purchasers. In the interest of residents safety and consumer protection, that Clare County Council request the Taoiseach and his Cabinet to put in place a standardised N.C.T. type rating for all housing. A transparent consistent Housing N.C.T. type scheme, which prioritises safety, similar to that in use for cars would highlight fire and safety dangers that currently residents and tenants might be unaware of. The Building BER scheme currently exists to transparently advise consumers a house energy rating.”

**Siobhán McNulty, A/Director of Social Development replied as follows:**

“I note this is a request to the Taoiseach however I have outlined herein the following existing protections afforded to consumers in the context of buying or building a home:

- Lending institutions require technical condition reports on properties to guarantee the loan.
- The Health and Safety Authority has produced guidance for homeowners carrying out works to their properties, copy attached. Amended Health & Safety regulations which require appointments of PSDP and PSCS for works to private houses
- Amended Building Control Regulations for new works to properties - The design and construction of buildings is regulated under the Building Control Acts 1990 to 2014. In undertaking building works, appropriate measures should be taken to ensure that the work is carried out in accordance with the Building Regulations. Designers, builders and certifiers should exercise reasonable skill, care and diligence in the exercise of their duties. They and persons assigned by them should be competent for the work they undertake. Under section 3(5) of the Building Control Acts 1990 to 2014 there is a statutory obligation that buildings be designed and constructed in accordance with the relevant requirements of the Building Regulations. Building Owners, Designers and Builders are bound by this legal requirement. Building Control Authorities undertake an appropriate level of assessment and inspection informed by a risk analysis of Commencement Notices submitted via the Building Control Management System (BCMS). With the submission of a Commencement Notice through the BCMS the owners, designers and builders must demonstrate through building drawings and the lodgement of documentation and specifications how compliance with the Building Regulations will be achieved.

In relation to properties available for rent these are governed by Housing (Standards for Rented Houses) Regulations 2017 (S.I. 17/2017), which commencement on the 1<sup>st</sup> of July 2017.

In the context of social housing Clare County Council undertakes pre-purchase inspections of properties purchased by the Council and all properties were subject of

stock condition surveys to ascertain current condition from which to develop the planned maintenance schedule for effective asset management.”

**Item 36. TV licence.**

Due to the absence of Cllr. A. Norton, this motion was moved by Cllr. T. McNamara and seconded by Cllr. J. Breen.

“With RTE again requesting a licence fee hike can this Council write to the Minister for Communications requesting him to justify such a request and to outline if the Minister is open to such a request considering the exorbitant fees that some of the so called talent are paid; the substandard content of some of the programming; the continuous repeats and soaps cannot be argued to be fulfilling its public service remit. While acknowledging some of the high standard programming which fulfil RTE’s public service remit, a substantial volume of this programming cannot be considered to fall in this category.

Furthermore, can the Minister explain why new talent isn’t promoted and why RTE as a public service broadcaster continually rolls out the same old faces for all its shows. With the summer months now approaching we can expect to see several bland, tired chat shows for indulgent over paid presenters. Why not new faces? Should promoting new talent not be part of RTE’s service remit?”

**Item 37. Shannon Group.**

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

“That Clare County Council commend the Shannon Group for the progress of its commercial property division and encourage the Group to examine the potential to leverage spin off employment for the strong aviation cluster based in Shannon.”

The elected members expressed concern at the lack of activity in Shannon Airport.

**Item 38. Traffic speeding surveys.**

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

“That Clare County Council in conjunction with An Garda Síochána carry out a traffic speeding survey in all villages and towns especially on all approach roads in the interest of health and safety.”

**Item 39. Small Medium Enterprises.**

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

“In light of the economic uncertainty around Brexit that this Council call on the Minister for Small Business to outline why Irish small and medium enterprises (SMEs) experience a much higher rejection rate than European counterparts in loan



applications to banking institutions and why SMEs face an interest rate almost double the euro area average rate.”

**Padraic McElwee, Head of Enterprise replied as follows:**

“There are a wide range of Brexit related financial and training supports available through various State agencies and Intertrade Ireland. These include working capital finance available through Microfinance Ireland, a discounted “Brexit Loan Scheme” available through the main domestic banks supported by the Strategic Banking Corporation of Ireland and a Brexit Voucher scheme available through Intertrade Ireland. Where an enterprise is rejected for lending facilities, they can have that decision reviewed by the Credit Review Office. A range of other targeted Brexit related financial and soft supports are available through Local Enterprise Office Clare and Enterprise Ireland. The Government website dedicated to Brexit [www.gov.ie/brexit](http://www.gov.ie/brexit) provides a comprehensive overview of the Brexit supports available.”

**Item 40. Comhfhreagras.**

**Correspondence.**

**The following correspondence was circulated with the agenda:**

1. Report on Council delegation meeting with Minister Simon Harris on 7<sup>th</sup> March, 2019.
2. Correspondence dated 12<sup>th</sup> March, 2019 From Eoghan Murphy, T.D., Minister for Housing, Planning and Local Government in relation to recent Housing Summit.
3. Correspondence dated 19<sup>th</sup> March, 2019 from the Department of Health regarding waiting lists for Assessment of Need.
4. Correspondence dated 29<sup>th</sup> March, 2019 from Transport Infrastructure Ireland regarding the provision of signage for the Shannon Estuary Way and Clarecastle.
5. Correspondence dated 28<sup>th</sup> March, 2019 from the Department of Finance regarding food supplements.
6. Correspondence dated 6<sup>th</sup> March, 2019 from the Department of Rural and Community Development in relation to request for an increase L.I.S. allocation in 2019.
7. Correspondence dated 12<sup>th</sup> March, 2019 from the Department of Children and Youth Affairs concerning the Adoption (Information and Tracing) Bill, 2016.
8. Correspondence dated 25<sup>th</sup> March, 2019 from the Office of the Minister for Agriculture, Food and the Marine in relation to the beef crisis.
9. Correspondence dated 25<sup>th</sup> March, 2019 from the Office of the Minister for Justice and Equality regarding online gambling advertisements.

10. Correspondence dated 22<sup>nd</sup> March, 2019 from the Department of Housing, Planning and Local Government in connection with the National Planning Framework.
11. Correspondence dated 21<sup>st</sup> March, 2019 from the Office of the Taoiseach in relation to the Irish Defence Forces.
12. Correspondence dated 22<sup>nd</sup> March, 2019 from the Office of the Minister with Responsibility for Defence in relation to the Irish Defence Forces.
13. Correspondence dated 21<sup>st</sup> March, 2019 from the Office of the Taoiseach in relation to the Standing4 Women campaign.
14. Correspondence dated 21<sup>st</sup> March, 2019 from the Office of the Minister for Health concerning the Standing4 Women campaign.
15. Correspondence dated 14<sup>th</sup> March, 2019 from the Office of the Taoiseach in relation to the St. Paul, MN, “blue print” to avert domestic violence incidents and fatalities.
16. Correspondence dated 15<sup>th</sup> March, 2019 from the Office of the Minister for Justice in relation to the St. Paul, MN, “blue print” to avert domestic violence incidents and fatalities.
17. Resolution circulated by Carlow County Council in relation to assessing eligibility for social housing.
18. Resolution circulated by Limerick City and County Council in relation to grant aid scheme for granny flat extensions for persons on the housing list.
19. Resolution circulated by Cork County Council in relation to the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill.
20. 2019 Sheehy Skeffington School Conference entitled “Rediscovering Democracy & the Common Good: The Contribution of Human Rights” taking place on 10<sup>th</sup> May.

## **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.

### **LAMA 2019 Spring Training Seminar taking place in the Bush Hotel, Carrick on Shannon, Co. Leitrim on 7<sup>th</sup> & 8<sup>th</sup> March, 2019.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €573.29 including conference fee of €180.

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

### **AILG training taking place in Dungarvan, Co. Waterford on 21<sup>st</sup> March, 2019.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €325.05 including conference fee of €55.

It was agreed that Cllrs. P. Daly, R. Nagle, A. O’Callaghan, J. Cooney, P. Burke, J. Breen, P.J. Ryan, P. Murphy and C. Colleran Molloy attend this Conference.

**AILG training taking place in Arklow, Co. Wicklow on 23<sup>rd</sup> March, 2019.**

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was € including conference fee of €55.

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

**Training entitled “Life after Brexit – what changes for Ireland” taking place in NUIG on 10<sup>th</sup> April, 2019.**

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

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

**Policy Conference entitled “The future for research and innovation in HEI’s” taking place in Dublin on 30<sup>th</sup> April, 2019.**

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

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

The meeting then concluded.

**Signed:** \_\_\_\_\_  
**Riarthóir Cruinnithe**

**Signed:** \_\_\_\_\_  
**Cathaoirleach**

**Date:** \_\_\_\_\_