

**Minutes of the May Monthly Meeting of Clare County Council held in the
Council Chamber, Áras Contae an Chláir, New Road, Ennis, Co. Clare and via
MS Teams on Monday, 9th May, 2022 at 3:45 p.m.**

Present:

Councillors M. Howard, C. Colleran Molloy, P. Murphy, A. Norton, P. Daly, J. Cooney, P. Burke, A. O’Callaghan, T. O’Brien, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, P. O’Gorman, S. Talty, J. Killeen, L. Grant, P.J. Kelly, B. Chambers, G. Keating, C. Murphy, I. Lynch.

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O’Rourke, Assistant Staff Officer.
- Ms. Anne Haugh, Director of Social Development.
- Mr. Leonard Cleary, Director of Rural Development.
- Dr. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, Director of Finance and Support Services.
- Ms. Helen Quinn, A/Senior Planner, Economic Development.

Present via MS Teams:

Cllrs. M. Nestor, J. Flynn, P. Hayes and J. Garrihy.

The Cathaoirleach, Cllr. P.J. Ryan presided.

Votes of sympathy.

Cllr. P. McMahon proposed a vote of sympathy to the Boland family, Ennis on the recent death of former County Manager, Joe Boland. Cllr. McMahon stated that Joe Boland served as County Manager for 23 years and that he brought County Clare into modern times. Mr. Boland was also Chairman of the County Managers Association at the time. Cllr. McMahon proposed that the meeting be adjourned for 15 minutes as a mark of respect. This was seconded by Cllr. B. Chambers and agreed by the members present.

Tributes were paid to the late Mr. Boland and it was noted that he was responsible for the establishment of Doolough Water Treatment Plant which provided running water to a vast area in the county. It was also noted that he was instrumental in the provision of GAA fields to communities in the county.

Pat Dowling, Chief Executive joined in the expression of sympathy. Mr. Dowling stated that the modernisation of County Clare was personified by Joe Boland and that

Mr. Boland worked closely with SFADCo and Aer Rianta. Mr. Dowling thanked the elected members for their sympathies and for their attendance at the funeral.

Sympathy was also extended to the following:

- The Hill family Lissycasey on the death of Mary Hill RIP
- The Healy family Bodyke on the death of Seamus Healy RIP
- The McMahon family Ennis on the death of Breda McMahon RIP
- The McLysaght family Tuamgraney on the death of William McLysaght RIP

Item 1: Minutes of Council Meetings.

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

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

Item 2: Matters Arising.

Cllr. M. Howard requested an update on the Ukraine situation and the supports available.

P. Dowling, Chief Executive addressed the meeting and stated that there are currently 2,200 displaced people in the county and that the numbers arriving nationally are now 100 per day compared to 150 per day previously. Mr. Dowling informed the meeting that those accommodated in the emergency accommodation on the Quin Road are now re-located to the Abbey Hostel, that the emergency facility is now available and that the majority who are resident in County Clare are in hotel accommodation. Mr. Dowling stated that correspondence has been received from the Minister for Local Government in relation to the role of local government in the overall co-ordination of the response to the Ukrainian crisis and further clarification is awaited. Mr. Dowling continued that every local authority has been asked to have capacity available as well as planning for the future sustainability of the situation.

Mr. Dowling noted that the Council must be ready to react in the event of numbers changing and felt confident that Clare County Council can respond.

Cllr. J. Garrihy welcomed the publication on the Clare County Council website under the heading “Support for Ukrainians in Clare”. Cllr. Garrihy emphasised that communities are still carrying the vast burden of managing this situation and praised the community response to date. Cllr. Garrihy thanked the staff in Rural Development for the support given to community groups and called for more supports from Clare County Council and other agencies in this evolving situation.

Item 3: Minutes of Municipal District Meetings.

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

“That the Minutes of the Ennis Municipal District Meeting held on the 5th April, 2022 be noted.”

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

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

“That the minutes of the Rural Development S.P.C. meeting held on 23rd February, 2022 be noted”.

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 4th April, 2022 as presented.

Item 6: Monthly Management Report.

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

Cllr. J. Flynn welcomed work being carried out to achieve the target for private rented inspections and also acknowledged the project being undertaken to change public lights to LED.

Cllr. P. Burke referred to update on the Killaloe Bridge and By-Pass project and expressed concern for the project due to inflation costs.

S. Lenihan, Senior Engineer acknowledged that there is pressure on the construction industry due to global issues and stated that there is ongoing engagement with Government Departments in relation to this project. Mr. Lenihan stated that the letter of acceptance has issued to John Sisk & Sons (Holdings) Ltd and that the contract period is for 33 months.

Item 7: Disposal of property by way of lease at County Museum Building, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 7th April, 2022 from Carmel Greene, Senior Executive Officer, Economic Development Department was circulated with the agenda together with map. The report states that it is proposed to dispose of property by way of lease at County Museum Building, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 7th April, 2022.

Ar moladh Cllr. P. Daly
Cuidithe ag Cllr. M. Howard 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 way of lease at County Museum Building, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 7th April, 2022.”

Item 8: Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 81 of the Planning & Development Regulations 2001 (as amended) for the proposed construction of 15 no. residential units and public car park at Ballyliddan West, Sixmilebridge, Co. Clare.

Report dated 3rd May, 2022 from Anne Haugh, Director of Social Development was circulated with the agenda together with the Chief Executive’s report dated 3rd May, 2022 (including Clare County Council’s screening for appropriate assessment and determination), which had been prepared by Helen Quinn, A/Senior Planner, under Delegation Order HR151 dated 9th April 2021. The reports outline details of a proposed housing development and public car park at Ballyliddan West, Sixmilebridge, Co. Clare and the members were asked if there were any issues that they wished to raise in respect of the report circulated.

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

Item 9: Report in accordance with Part XI, Section 179 of the Planning and Development Act 2000, as amended, and Part VIII, Article 81 of the Planning & Development Regulations 2001 (as amended) for the proposed development of a flood defence protecting three properties in Quin, Co. Clare.

Report dated 29th April, 2022 from Seán Lenihan, Senior Engineer, Project Management Office, Physical Development was circulated with the agenda together with the Chief Executive’s report dated 27th April, 2022 (including Clare County Council’s screening for appropriate assessment and determination), which had been prepared by Helen Quinn, A/Senior Planner, under Delegation Order HR151 dated 9th April 2021. The reports outline details of a proposed development of a flood defense protecting 3 No. properties in Quin, Co. Clare and the members were asked if there were any issues that they wished to raise in respect of the report circulated.

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

there was no proposal to refuse the development, accordingly, the development can proceed as outlined.

Item 10: Fix date for 2022 Annual General Meeting.

It was agreed by the members that the 2022 Annual General Meeting will take place at 3:30 p.m. on Friday, 24th June, 2022 having been proposed by Cllr. J. Cooney and seconded by Cllr. I. Lynch.

Item 11: Annual Service Delivery Plan 2022.

The Annual Service Delivery Plan was circulated with the agenda

The elected members requested that this item be deferred as some members highlighted items they wished to see included in the Annual Service Delivery Plan.

P. Dowling, Chief Executive noted that the Annual Service Delivery Plan provides an outline of various services and projects across all directorates. Mr. Dowling agreed that the item be deferred to the June meeting to allow members make submissions.

Item 12: Community Support Scheme 2022.

Report dated 29th April, 2022 from Leonard Cleary, Director of Rural Development was circulated with the agenda. The report states that a total of 467 applications were received under the Council's Community Supports Scheme 2022. The total fund for 2022 is €97,500.

The report states that this year the assessment of applications was carried out in 2 stages:

Batch 1 included Burial Ground, Christmas Lighting and Community WIFI grants in addition to the pre-allocated funding and these allocations were approved at the April Council Meeting on the 11th of April 2022.

The report set out the grant recommendations in relation to Batch 2 which includes the grant recommendations in relation to the following grant categories:

- (1) Support Scheme for Arts – Events
- (2) Support Scheme for Arts – Festivals
- (3) Support Scheme for Arts – Supports
- (4) Support Scheme for Arts – Trad
- (5) Support Scheme for Best Kept Local Authority Estate
- (6) Support Scheme for Tourism Marketing and Promotion
- (7) Support Scheme for Sustainable Tourism
- (8) Support Scheme for Community Playgrounds
- (9) Support Scheme for Community Development & Social Inclusion Measures

- (10) Support Scheme for Public Area and Amenity Enhancement (excluding Residents associations)
- (11) Public Area Enhancement (Residents Associations)
- (12) Support Scheme for Irish Language

The Working Group for the Action Plan for Rural Ireland was convened on the 26th April 2022 and on the recommendation of the Working Group it was agreed that the attached report be brought before the May meeting of Clare County Council for endorsement.

The grant recommendations were approved having been proposed by Cllr. J. Cooney and seconded by Cllr. M. Begley.

Cllr. M. Begley asked if the Community Supports Scheme would extend to Community Creche Playgrounds.

P. Dowling, Chief Executive stated that the Community Supports Scheme deals with public accessible playgrounds and agreed to engage with Clonlara Community Groups to explore the possibility of providing a community playground.

Item 13: Approval of applications considered by Memorial Committee.

Report dated 25th April, 2022 from Mary McMahon, Administrative Officer, Corporate Services Department was circulated with the agenda. The report outlined details of applications received and considered by the Memorial Committee on 14th April, 2022 as follows:

- (1) Memorial plaque for Africa Day tree planted in 2021.
- (2) Memorial to commemorate those who fought for Irish Independence 1919 – 1921
- (3) Memorial to commemorate Gerry Wallace, M.C.C.

The applications were approved having been proposed by Cllr. J. Cooney, seconded by Cllr. A. Norton and agreed by the members present.

Item 14: Fáilte Ireland -Festival and Participative Events Funding 2022.

Report dated 26th April, 2022 from Leonard Cleary, Director of Rural Development was circulated with the agenda together with details of Local Festivals and Participative Events Funding Programme for 2022.

The report states that the Council's Working Group for the Action Plan for Rural Ireland met on 26th April, 2022 and recommend the projects to the May 2022 meeting of Clare County Council to be approved for Fáilte Ireland funding.

Details of applications which had been assessed and the grant levels determined based on the evaluation criteria, the application details, and the level of funding available were outlined.

The applications were approved having been proposed by Cllr. C. Murphy, seconded by Cllr. A. Norton and agreed by the members present.

Item 15: Clare County Council Public Art Policy 2022 – 2023.

The Clare County Council Public Art Strategy 2022 – 2023 was circulated with the agenda. This document sets out the policy and procedure for the strategic management and programming of percent for art for Clare County Council. It is intended to provide a clear framework which will formalise systems and structures for projects arising from the council's percent for art programme so that they can have a positive impact on the county and its citizens while giving scope for established and emerging artists to have exciting and challenging opportunities to make new work in partnership with communities.

The Policy as presented was noted by the members present having been proposed by Cllr. G. Flynn and seconded by Cllr. L. Grant.

Item 16. Investment in childcare sector.

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

“That Clare County Council calls on the Government to increase investment in the Childcare sector and in particular to urgently address the pay of childcare workers.”

The elected members expressed concern that qualified childcare workers are leaving the sector as they are being paid the minimum wage. It was also noted that it is difficult to recruit staff to cover the working hours required in the sector. The members felt that women are key workers in our communities and that many women are not working due to the cost of childcare. The importance of early education was outlined and the members agreed that investment in the childcare sector needs to be addressed.

Item 17. Pyrite/mica redress scheme.

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

“Due to the significant implications for affected homeowners and for Clare County Council in the implementation of any proposed pyrite/mica redress scheme, I request that the matter is included as a headed item on the agenda of the housing S.P.C. and within the management report. This will better ensure that members are kept up to date with the progression, nationally and locally, in relation to the pyrite/ mica redress scheme.”

Anne Haugh, Director of Social Development replied as follows:

“The Council are happy to accede to this request, the May report includes an update on Defective Concrete Blocks and the item will be listed as an agenda item for the next S.P.C.

Since the drafting of the monthly management report the following is the update:

‘The best estimate of the number of homes potentially affected in Clare is between 350 and 620 properties as it is not possible to be definitive in relation to the likely quantum of homes impacted in Co. Clare. This range is based on both known and suspected cases, feedback from the Clare Pyrite Action Group and the level of occurrence within our own Local Authority stock.

The Council is currently preparing a further report for submission to the Department of Housing, Local Government and Heritage which will be discussed at the meeting between the Clare Pyrite Action Group and Clare County Council on the 6th May. The Department of Housing, Local Government and Heritage has requested that Clare County Council prove the presence of oxidised pyrite in samples taken from properties in Clare. In this regard the Council will be reliant on the professional report of a qualified IS465 engineer whose findings will be supported by accredited laboratory testing and compilation of this report is currently nearing finalisation. The Council remain committed to securing access to the redress scheme for affected homeowners in Clare.”

The elected members acknowledged the work being done to include Clare in the pyrite scheme. The members referred to meetings being held by the Clare Pyrite Action Group and requested that Councillors be invited to attend. It was felt that Oireachtas members should be lobbied in relation to proposed legislation as it has to be given due diligence. The members agreed that that it is important that Clare is included in the pyrite scheme.

Anne Haugh, Director of Social Development addressed the meeting and outlined the structure for consultation utilised to date. Ms. Haugh stated that the Pyrite Action Group requested that Oireachtas Members be included and that the Group do consult on who should be in attendance. Ms. Haugh noted that the working group can facilitate inviting all elected members.

Ms. Haugh continued that a meeting was held last Friday. She informed the members that tests had been conducted and that more rigorous testing requested by the Department had been carried out. A report on the findings is being finalised and will be submitted to the Department this week. Ms. Haugh stated that the Department has assured a speedy response.

Item 18. Columbarium Policy.

Ar moladh Cllr. A. O’Callaghan
Cuidithe ag Cllr. G. Flynn agus glacadh leis

“In recent years where cremation is getting more common, can the Council provide details on whether a columbarium policy for the burial of ashes exists for County Clare and if so, does this policy take account of the sharp increase in cremation rates in the county. Considering the pressure for burial space in some areas of the county, I

request that if such a policy exists that it should adequately provide for cremation options for families who opt for cremation.”

Joe Spellissey, Senior Staff Officer, Rural Development replied as follows:

“Cremation has seen a substantial rise in County Clare, particularly since the opening of the Shannon Crematorium facility.

A detailed review of columbarium policy (i.e. a place of interment for cremated remains) was carried out in 2016 and this review concluded that based on the contemporaneous cremation rate of 3-5% annually, there was no clear perspective in what provision should be made by the Burial Grounds Unit to facilitate cremated remains. However, a marked increase in cremation rates, some 23% of all deaths in County Clare in 2021, suggests that there is a case to revisit a countywide cremation policy in burial grounds operated by Clare County Council. In fact, a few community managed burial ground committees have already engaged with Burial Grounds Unit staff in respect of scoping out cost-effective columbarium wall facilities. The Burial Grounds Unit staff have already identified several designs that might be considered. These designs provide economical, yet aesthetically pleasing options and staff are already liaising with our colleagues in the General Design Office to effect a decision on a standardised design that might be implemented in both Clare County Council and community burial grounds.

There is an existing area in the new extension at Illaunmanagh Burial Ground, Shannon, which has already laid out the location for future columbarium walls. However, these have not yet been installed as further market research to gauge interest is required. The Burial Grounds Unit has already facilitated the installation of ten cremation ‘urn-towers’ in St Bridget’s Section at Drumcliff Burial Ground. Some families have already chosen to inter ashes in existing family plots.

The Burial Grounds Unit will continue to support communities who have indicated a desire for the installation of columbarium walls and other cremation interment options. Our staff will continue to develop a columbarium design with our colleagues in the General Design Office. Consideration will be given to reviewing the overall countywide columbarium policy in line with the 2021 Review of Burial Ground Policies and Procedures and revert to the elected members in due course.”

The elected members discussed the increase in cremations every year and felt that as some burial grounds are at full capacity the option of integrating Columbarium Walls in burial grounds should be explored.

L. Cleary, Director of Rural Development addressed the meeting and noted that there is general consensus for the need to provide Columbarium Walls. Mr. Cleary stated that a review of the Burial Ground Policies and Procedures is being undertaken and noted that some communities who have provided burial ground extensions have received support grants from Clare County Council. Mr. Cleary stated that many families choose to bury ashes in family graves or keep the urn at home.

Referring to Columbarium Walls Mr. Cleary stated that some communities have provided Columbarium Walls and that Clare County Council has examined the need, demand and designs. Mr. Cleary informed the members that the Burial Ground Review is included in the next Rural Development S.P.C. meeting and that recommendations received at that S.P.C. meeting will be brought to the full Council for approval.

Item 19. Applications for Community Support Schemes.

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

"Community Support Schemes, I am proposing that the deadline for applications is brought forward in order to help facilitate the invaluable work that community groups are doing in towns and villages across County Clare. An example of the aim of this Notice of Motion would be where Tidy Towns groups are currently unaware of what support they are getting this year, yet the closing date for Tidy Towns entries is mid May, thus making it very difficult to plan accordingly for the year ahead".

Leonard Cleary, Director of Rural Development replied as follows:

"Due to the Covid 19 pandemic, there was a slight delay on the Community Support Scheme allocations for 2022. This was a once-off situation and Council staff are working with Community Groups to be flexible in relation to the grants. The Working Group for the Action Plan for Rural Ireland have now met and made their recommendation to the May full Council meeting. The proposed revised deadline will be considered as part of the 2023 Community Support Scheme."

The elected members felt that Tidy Towns Groups need to know their budget so that they can outline their plan for the year as they are reliant on grants.

Item 20. County Development Plan

Ar moladh Cllr. P.J. Kelly
Cuidithe ag Cllr. J. Killeen

"That the term "infill site" and all listed considerations relative to it as exists in the present County Development Plan be excluded from the next County Development Plan."

Helen Quinn, A/Senior Planner replied as follows:

"The making of a Development Plan is a statutory process clearly set out in planning legislation. The inclusion/omission of specific objectives within that plan must be considered as part of that statutory process. The next opportunity for formal consideration by the members of the draft plan will be on foot of the Chief Executives Report on submissions received on the Draft Clare County Development Plan 2023-2029, which is currently in preparation and will be issued to the members in early July."

The elected members felt that there can be a difference in the interpretation of the reference "infill site" in rural and urban areas. Some members believed that people wishing to live in the countryside should be supported as they contribute to local communities, schools and teams. The members noted that there will be an opportunity to discuss and debate this issue in the context of the County Development Plan and it was suggested that this be dealt with at this juncture.

P. Dowling, Chief Executive agreed that this will be reviewed and the language being used will be considered in the overall context of the County Development Plan.

Item 21. Damage to public roads during timber harvesting.

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

“That this council would request to enact a bye law holding timber harvesting benefactors responsible for any damage done to public roads during extracting operations.”

John Leahy, Senior Engineer, Physical Development Directorate replied as follows:

“The issue of damage to public roads is covered under National legislation and falls under the 1993 Roads Act whereby redress can be sought by the Local Authority for any individual or company causing damage to a public road.

Tree felling licence applications are issued by the Department of Agriculture, Food and the Marine (DAFM) and under the single consent form, forest entrances are also dealt with by the DAFM. This has been an issue in East Clare but particularly in West Clare. Communication and meetings have taken place between Clare County Council Roads Section and West Clare Municipal District, Department of Agriculture and with Forestry operators. It is recognized that the system in place is not working as well as it could. Significant progress is being made with a view to improving the current arrangements and to find a solution that will work for all stakeholders.”

The elected members outlined details of roads being damaged as they were not designed to carry the heavy traffic associated with timber harvesting. The impact on the Councils finances and the burden being placed on local authorities to repair these roads was discussed.

Some Councillors noted that Coillte have contributed to road repairs and Local Improvement Schemes and carry out their own maintenance.

J. Leahy, Senior Engineer informed the meeting that the issue of damage to public roads is covered under legislation and that local authorities cannot produce bye laws in this regard. Mr. Leahy advised that tree felling licence applications are issued by the Department of Agriculture, Food and the Marine and that licence applications are sent to the Municipal Districts for conditions. Mr. Leahy stated that dialogue has commenced with the Department of Agriculture, Food and the Marine, Clare County Council and forestry operators and that good progress is being made towards finding a solution.

Item 23. New waste water systems in towns and villages.

Ar moladh Cllr. J. Garrihy
Cuidithe ag Cllrs. S. Talty agus B. Chambers agus glacadh leis

“I call on Clare County Council to outline the criteria and selection process for prioritisation of Towns and Villages to be put forward to the new waste water systems fund just announced. Waste water infrastructure is long overdue and holding back economic and social development in many rural towns and villages of Clare particularly in Doolin, Carrigholt, Cooraclare and Broadford.”

Cyril Feeney, Senior Engineer, Physical Development Directorate replied as follows:

“The Department of Housing, Local Government and Heritage have recently announced a funding scheme under Measure A8 of the Multi Annual Rural Water Programme 2022-2025. The scheme is designed to fund wastewater collection and treatment in villages not serviced currently by Irish Water. The scheme will have a total national funding allocation of €50m over a 4 year period from 2022 to 2025. Local authorities should submit their funding bids no later than the 15th September 2022. The applications will be judged by a Department appointed expert panel who will rank the projects nationally based on a number of different criteria with an associated marking scheme. These criteria include how the project will meet national policy objectives, community and stakeholder engagement, collaboration and synergies, readiness of project, capacity to deliver the project, timeframe for delivery, impact on climate change and budgetary proposal. The expert panel will prepare a report for the Department for its review and consideration by the Minister who in due course will announce allocations to the successful local authorities.”

The elected members welcomed the pilot scheme announced recently and felt that it is imperative that the towns and villages put forward as a county, meet the criteria. The members felt that clarity is required in relation to the process and how the final decision will be made. The members agreed that Clare County Council should ensure the county supports the recommended projects as the economic development of many towns and villages is being delayed due to lack of infrastructure.

P. Dowling, Chief Executive acknowledged the comments and views raised by the elected members and stated that Clare County Council were in engagement with the Minister in relation to the introduction of this demonstration project. Mr. Dowling stated that this scheme will have a total national funding allocation of €50m over a 4 year period. Mr. Dowling informed the meeting that Clare County Council will submit two demonstration projects that will have to be shovel ready. Mr. Dowling stated that the detail of how to qualify will be discussed and agreed at a workshop with the relevant sector later this month. The Chief Executive also noted that in general central government do not fund 100% capital costs and that this will be considered at budget time.

Cyril Feeney, Senior Engineer, Physical Development addressed the meeting and acknowledged that this is a good step forward in putting a programme in place to provide infrastructure for towns and villages. Mr. Feeney stated that a workshop will be held as there are many questions that need clarity on how projects will be delivered and selection criteria. Mr. Feeney stated that it is expected that a significant number of schemes will be announced by the Minister later this year.

It was proposed by Cllr. A. O’Callaghan, seconded by Cllr. C. Murphy and agreed by the members present that the time be extended to 7:30 p.m. in order to complete the business of the meeting.

Item 24. Basic income for artists payment.

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

“That this Council calls on the Government and Minister of Social Protection to find a solution which would allow artists with disabilities to be in receipt of the Basic Income for Artists payment without it affecting their disability supports.”

The elected members referred to Ireland’s basic income for the arts pilot scheme launched recently by Government which is a transformative initiative to support the arts and creative practice whereby payments of €325 per week will be made to 2,000 artists and creative arts workers. The members felt that the equalisation of the application of this basic income is necessary so that people with disabilities will not be affected adversely. The members requested that this be forwarded to all local authorities.

It was agreed that Items No. 25 and 31 would be taken together.

Item 25. Shannon Estuary Economic Taskforce.

Ar moladh Cllr. C. Murphy
Cuidithe ag Cllrs. I. Lynch agus J. Flynn agus glacadh leis

“To ask the Minister for Enterprise, Trade and Employment to consider including a member of the executive from Clare County Council, Limerick City & County Council and Kerry County Council to represent community and environmental interests on the Shannon Estuary Economic Taskforce.”

Helen Quinn, A/Senior Planner replied as follows:

“The Programme for Government committed to supporting the Shannon Estuary and surrounding area through the establishment of a Taskforce to evaluate the potential of the estuary area and determining how this potential can be realised. Specifically, the Programme for Government states:

“We will ensure that local development plans are developed to stimulate economic activity for those areas that were expecting economic development arising from new fossil-fuel infrastructure. As part of this, we will consider the potential of the Shannon Estuary in terms of regional economic development across transport and logistics, manufacturing, renewable energy and tourism, and develop a strategy to achieve this potential, with support from the Exchequer.”

“To fulfil the commitment in the Programme for Government, a Shannon Estuary Task Force was recently established with the Terms of Reference for the Shannon Estuary Economic Taskforce setting out 5 objectives including

“No.4 - Specify the actions required from national and local government, as well as from other stakeholders, to exploit those areas of potential”

The success of any strategy is dependent on the level of stakeholder engagement during the preparation process and - as the above objective of the Taskforce recognises - on implementation of the plan and the undertaking of any actions.

Following the announcement of the membership of the Taskforce, the Department of Enterprise Trade and Employment indicated that “there will be a programme of engagement with the relevant local authorities as part of the Taskforce’s work”. It is therefore considered that this Notice of Motion is important and timely.”

Item 31. Shannon Estuary Economic Taskforce.

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

“That Clare County Council request, in the interest of balanced regional development, that the Tánaiste instructs the recently formed Shannon Estuary Economic Taskforce to ensure that the potential of the Fergus Estuary, which is deemed coastal up as far as Clarecastle and is part of, is included in the consideration of the 5 key objectives set out below for consideration by Government to the recently formed Shannon Estuary Economic Taskforce.

With regard the Shannon Estuary the Programme for Government committed to

“consider the potential of the Shannon Estuary in terms of regional economic development across transport and logistics, manufacturing, renewable energy and tourism, and develop a strategy to achieve this potential, with support from the Exchequer.”

In this regard to fulfil the commitment in the Programme for Government, the Terms of Reference for the Shannon Estuary Economic Taskforce are to:

- a. Assess the strategic strengths and comparative advantages of the Shannon Estuary from an investment and enterprise development perspective, in a national and international context;
- b. Scope potential areas of opportunity for the Shannon Estuary and specify policy and investment requirements to exploit those areas of potential;
- c. Assess the current connectivity of the region and make recommendations as to how this could be enhanced;
- d. Specify the actions required from national and local government, as well as from other stakeholders, to exploit those areas of potential; and
- e. Produce a Report and associated Action Plan with specific steps in areas of potential.

The Taskforce Report will be presented to the Tánaiste and Minister for Enterprise, Trade and Employment. It will subsequently be considered by Government.”

Helen Quinn, A/Senior Planner replied as follows:

“At the recent announcement of the Shannon Estuary Taskforce, An Tánaiste noted that *“The Shannon Estuary has a proud history of leading industrial development; Ardnacrusha, Shannon Airport, Moneypoint, the Shannon Free Zone and the growth in industry we’ve seen in and around Limerick City as well as the development of UL and now the newly-established Technological University of the Shannon and Munster Technological University. This group is about building on that by looking to the future,*

and setting out how we can ensure long-term, sustainable jobs and investment opportunities along the estuary for the decades ahead.”

In relation to the sentiments set out in this Notice of Motion that the potential of the Fergus Estuary, is included in objectives of the recently formed Shannon Estuary Economic Taskforce, it is further noted that the area under the remit of the SIFP for the Shannon Estuary includes the Fergus Estuary. Chapter 1 of the SIFP defines the SIFP framework area as *“encompassing both the marine area of the Estuary and its fringe lands. Both are key resources, and provide space and location for potential development stretch from ... Limerick city, to the first bridge in Clarecastle along the Limerick and Clare shorelines...towards Loop Head”*. The SIFP further states that the *“greater Shannon Estuary comprises the tidal reaches of the Lower River Shannon between Limerick City and the Atlantic and incorporates the Fergus Estuary south of Clarecastle”*. Maps of the study area of the SIFP also include the Fergus Estuary.

On the basis of the inclusion of the Fergus Estuary in the SIFP for the Shannon Estuary and also the sentiments from An Tánaiste in the context of the Estuary Task Force regarding the extent, geographical scope and sphere of influence of the Shannon Estuary, it is reasonable for Clare County Council to further emphasise that the potential of the Fergus Estuary is included in the consideration of the 5 key objectives set out for consideration by Government to the recently formed Shannon Estuary Economic Taskforce Motion.”

The elected members noted that the Shannon Estuary is one of the most environmentally sensitive locations in Europe. It was noted that in order to ensure the sustainable development of the estuary, balancing environmental, social and economic impacts, it is incumbent upon the Minister to have people with a responsibility for delivering climate change actions sitting at the Economic Task Force table when any discussions take place. The members felt that the estuary is home to many community members that rely on its sustainable development for their welfare, recreation and employment and that the local authorities are the natural mechanism to ensure these communities are appropriately engaged, represented and protected and that their absence from the task force will likely lead to decisions being made without full consideration of these communities and their interests.

The members referred to the Shannon Estuary Economic Taskforce Terms of Reference and felt that anything the task force wants to know in terms of transport and logistics, manufacturing, renewable energy and tourism is already in the hands of the local authorities or will have to be assessed against the development plans of each of these counties. The members agreed that it makes sense to include the Fergus Estuary.

P. Dowling, Chief Executive informed the members that he formally applied, as did his colleague in Limerick City and County Council, for membership of Shannon Estuary Economic Taskforce and provided details of response received from the Department of Enterprise, Trade and Employment stating that membership of the Taskforce does not include officials from Government Departments, State Agencies or Local Authorities. Mr. Dowling expressed surprise that local authorities were not engaged and included directly on the Taskforce. Mr. Dowling stated that the Chief Executives from Clare, Tipperary, Kerry and Limerick County Councils met with the Chairperson of the Taskforce and relayed their unhappiness that the local authorities have been excluded from the Taskforce as they are economic drivers of the counties involved. Mr. Dowling noted that the first meeting of the Taskforce was held last

week and that the Chairperson will meet with the Tánaiste and will express progress to date and inform him that he has met with the Chief Executives of the four local authorities who would prefer this Taskforce to develop key outputs going forward.

The members requested that this notice of motion be forwarded to the three local authorities mentioned.

Item 26. Vat on Automated External Defibrillators.

Ar moladh Cllr. M. Howard

Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“Clare County Council request Minister for Finance, Mr. Pascal Donohoe to remove VAT on AEDs (Automated External Defibrillators). By removing VAT Minister Donohue will save lives.”

The elected members agreed that VAT should be removed from lifesaving equipment when it is permitted under EU law. The members felt that more public access to defibrillators will lead to more lives being saved.

Item 27. Excess spare capacity traffic from Dublin Airport to Shannon Airport.

Ar moladh Cllr. P. Daly

Cuidithe ag Cllrs. J. Crowe, M. Begley, P. McMahon, J. Killeen, P. O’Gorman agus G. Keating agus glacadh leis

“We ask Clare County Council to immediately make contact with the Department of Transport with a view to insisting that Dublin Airport Authority diverts spare capacity traffic to the likes of Shannon Airport particularly as Dublin has clearly been unable to cater for what it has while Shannon needs more passengers.”

The elected members discussed the trauma being felt by passengers using Dublin Airport and emphasized that Shannon Airport has the capacity to cater for the surplus air traffic. It was felt that the Government needs to redress the balance in relation to air traffic by changing the National Aviation Policy. The members agreed that this notice of motion be circulated to all local authorities west of Kildare.

Item 28. E.scooters regulations.

Ar moladh Cllr. G. Flynn

Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“In view of the fact that E,Scooters are classed as a Mechanically Propelled Vehicle and the E,Scooter regulations won’t be in place until 2023, I am calling on the Minister for Transport Eamon Ryan to urgently put regulations in place to protect members of the public from the users of these vehicles on public roads and footpaths,

some serious issues are materialising for vulnerable people and the use of Guide Dogs by the visually impaired is being compromised by the presence of these vehicles on footpaths.”

The elected members noted that e-scooters are classified as mechanically propelled vehicles and noted that they are being used on public roads and footpaths without regulations and that regulations will not be in place until 2023. Concerns were raised in relation to potential accidents on roads and footpaths, impact on vulnerable people and that the use of guide dogs for visually impaired is being compromised. The members also felt that parental control should also be essential. The members agreed that the use of e-scooters needs to be more effectively regulated.

Item 29. Screening for scoliosis.

Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. C. Collieran Molloy agus glacadh leis

“I call on Clare County Council to ask the minister to bring back screening for scoliosis in our schools in Clare.

This was previously done in schools and had helped with early detection therefore preventing the need for surgery in some cases as the degree in scoliosis can increase during growth spurts.

The test can be done simply in a few minutes as part of the health screening programme in schools.”

The elected members noted that screening for scoliosis in schools ceased in 2008 and felt that this service should be restored as it is a condition that needs to be monitored and managed. The members discussed the importance of early detection and correction as a means of preventing more serious issues.

Item 30. Prevent fodder crisis in winter/spring 2023.

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

“We call on the Minister for Agriculture, our Oireachtas Members and other relevant Agencies to put adequate supports for the farming livestock sector in place immediately to ensure sufficient fodder is harvested to prevent a fodder crisis in Winter/Spring 2023.”

The elected members outlined the unprecedented increase in the cost of fertilizer, feed, fuel and bale wrapping being experienced in the agriculture industry due to global issues. The members felt that the food industry in Ireland is under pressure. The members agreed that adequate supports for the farming livestock sector needs to be put in place immediately to ensure sufficient fodder is harvested to prevent a fodder crisis in Winter/Spring 2023.

Item 22. End practice of using chemical herbicides for the control of unwanted vegetation.

Ar moladh Cllr. L. Grant

Cuidithe ag Cllr. C. Murphy agus glacadh leis

“I call on Clare County Council to follow in the foot steps of Cork City Council and to end the practice of using chemical herbicides for the control of unwanted vegetation in amenity areas, including public parks, open space areas, greenways, woodland planting and roadside verges.

The alternatives are by far more environmentally friendly in terms of greater biodiversity and pollinator-friendly amenity areas. A shift in expectation is needed by the public in how we manage weeds and how best to promote biodiversity.

I would acknowledge that there should be limited use of the herbicide Glyphosate for the control of invasive Japanese knotweed species, but ordinary use should effectively be banned.”

John Leahy, Senior Engineer, Physical Development replied as follows:

“Clare County Council implements an annual plant protection programme to facilitate the maintenance of public open spaces, road verges and green areas surrounding Municipal Buildings. At all times only EU approved licenced Plant Protection Products (PPP’s) are used. Council Operatives are trained in the correct application procedures. Any use of products containing glyphosate is subject to the appropriate risk assessment and compliance with safety requirements in relation to their use and application.

As a local authority, Clare County Council is focused on the reduction of the use of chemical herbicides across the Municipal Districts. Encouragement of biodiversity including the growth of wildflowers are better options. Roadside margins are now becoming better managed for pollinators, more Council owned amenities and recreational areas are being managed for biodiversity. In early May, the Department of Agriculture, Food and the Marine issued “Guidance for Local Authorities to ensure compliance with the sustainable use of Pesticides Directive”. Clare County Council has already a programme of managing diversity which includes sustainable use of pesticides.

Training has been rolled out and staff are encouraged to engage with new ways of managing diversity. The recent guidance document from the Department of Agriculture, Food and the Marine has a focus on Risk Assessment and Alternatives and has been circulated to all Municipal Districts. “Biodiversity Best Practice Guidelines” have been developed and rolled out in Clare and community groups have been supported in biodiversity initiatives. Methods and products have also changed to minimise the use of chemicals with a more targeted and safer approach with less contamination.

The combination of measures outlined above will have the overall impact of reducing the dependency and usage of pesticides.”

The elected members noted that a ban on the use of chemical herbicides is not feasible but welcomed the reduction in their use. It was felt that more emphasis should be placed on a proper funding scheme to address and eradicate invasive species. The

members felt that Clare County Council is a leader in bio-diversity and agreed that a media campaign should be initiated to inform the public that weeds are an important part of biodiversity and that grass cutting will resume after biodiversity thrives.

Item 32. Comhfhreagras/Correspondence.

Cllr. G. Flynn expressed disappointment in relation to response received from the Department of Transport regarding the National Driver Licence Service.

Correspondence.

The following correspondence was circulated with the agenda:

1. Correspondence dated 7th April, 2022 from Shannondoc in relation to Shannondoc services in County Clare.
2. Correspondence dated 14th April, 2022 from the Office of the Planning Regulation regarding invitation for the Planning Regulator to attend Clare County Council meeting.
3. Correspondence dated 13th April, 2022 from the Department of Health in relation to the National Ambulance Service.
4. Correspondence dated 12th April, 2022 from the Department of Transport in relation to the National Driver Licence Service.
5. Correspondence dated 13th April, 2022 from the Department of Health regarding proposal for a new elective only hospital in the mid west.
6. Correspondence dated 13th April, 2022 from the Department of Health regarding funding for gynaecology department in Ennis.
7. Correspondence dated 27th April, 2022 from Deputy Cathal Crowe in relation to delays in gynaecological appointments at Ennis General Hospital.
8. Correspondence dated 13th April, 2022 from the Department of Justice in relation to the exhumation of remains at Kilmainham Gaol.
9. Correspondence dated 21st April, 2022 from the Department of Justice in relation to the exhumation of remains at Kilmainham Gaol.
10. Correspondence dated 13th April, 2022 from the Department of Justice in relation to legislation to criminalise the use of the “Z” symbol as a way to publicly support Russia’s war of aggression against Ukraine.
11. Resolution circulated by Galway County Council in relation to low cost bank fees for all OAPs.
12. Resolution circulated by Limerick City and County Council in relation to GDPR consent forms.
13. Resolution circulated by Kerry County Council in relation to the Stardust Fire.
14. Resolution circulated by Westmeath County Council in relation to turf harvesting.

15. Resolution circulated by Westmeath County Council in relation to reduction of taxes on fuel.
16. Resolution circulated by Wexford County Council in relation to Electrical Contractors agreements.
17. Promoting Gender Equality and Diversity in Local Government.

Conferences.

Reports on Seminars/Conferences attended.

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

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

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €592.30 including conference fee of €100.

It was agreed that Cllr. A. O’Callaghan attend this Conference.

AILG Elected Members February 2022 Module 1 Training entitled “Elected Members Personal Safety and Risk Assessment” being held in Mullingar Park Hotel, Westmeath on 17th February, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €242.69 including conference fee of €70.

It was agreed that Cllr. A. O’Callaghan attend this Conference.

AILG Annual Training Conference 2022 taking place in the Inishowen Gateway Hotel, Buncrana, Co. Donegal on 23rd - 24th March, 2022.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €39.28 including conference fee of €155.

It was agreed that Cllr. A. O’Callaghan attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____

