

**Minutes of the West Clare Municipal District Meeting
held 4pm Tuesday 18th January 2022 online**

Cathaoirleach sa Cathair :

Cllr Cillian Murphy

I Lathair:

Cllr Gabriel Keating, Cllr Joe Killeen, Cllr Joe Garrihy, Cllr Liam Grant,
Cllr Ian Lynch, Cllr PJ Kelly, Cllr Bill Chambers, Cllr Shane Talty

Officials present:

Mr. Leonard Cleary, Area Co-Coordinator & Director of Service
Mr. John O'Malley, A/Senior Executive Officer & Meetings Administrator, WCMD
Mr. Alan Kennelly, SEE, WCMD
Mr. Enda MacNamara, SEE, WCMD
Mr. Sean Lenihan, Senior Engineer, Project Management Office
Mr. Steve Lahiffe, Senior Staff Officer, WCMD

Cllr Murphy convened the Meeting.

At the outset of the meeting the Chair on behalf of the West Clare MD condemned the unlawful killing of Ms. Ashling Murphy. A vote of sympathy for Ms. Murphy was called for and agreed by all. The elected members offered condolences to her family.

Condolences were also offered to the family of the late John "O'Neill, who had also unlawfully died.

Condolences were offered to Margaret Cotter and her family on the passing of her father.

Condolences were offered to the family of the late IJ Shannon.

1. Minutes of the November Meeting held on 2nd November 2021.
The minutes were proposed by Cllr. Garrihy and seconded by Cllr. Talty.
2. Minutes of the GMA Budget Meeting held on 9th November 2021 (attached).
The minutes were proposed by Cllr. Garrihy and seconded by Cllr. Murphy.
3. Section 183 Proposed Disposal of lands at Ardnaculla North, Ennistymon, Co Clare.
Proposed by Cllr. Talty and seconded by Cllr. Garrihy.
4. Section 183 Proposed Disposal of lands at Clonmoney, Crusheen, Co. Clare
Proposed by Cllr. Talty and seconded by Cllr. Chambers.
5. Section 38 - Ruan Pedestrian Crossing – Enda MacNamara, SEE
Proposed by Cllr. Garrihy and seconded by Cllr. Talty.

6. Section 38 – Lisdoonvarna Pedestrian Crossing and Footpaths – Enda MacNamara, SEE Proposed by Cllr. Garrihy and seconded by Cllr. Killeen.
7. Declaration of Public Roads Cluain Liag Ard, Miltown Malbay (report attached) Proposed by Cllr. Talty and seconded by Cllr. Murphy.
8. Declaration of Public Roads Churchfield, Doonbeg (report attached) Proposed by Cllr. Lynch and seconded by Cllr. Chambers.

Rural Development, Planning & Economic Development, Social

9. Notice of Motion from Cllr. Gabriel Keating:

That Clare County Council requests the project management team to attend the West Clare Municipal District Meeting on the 18th January 2022 to report on the following:

- a. West Clare Greenway
 - Spending to date
 - Additional funding allocated 17th December 2021
 - Consultation with landowners
- b. Asbestos Remediation Project
- c. Doolin Pier Visitor Services Building Project
- d. Ennistymon Inner Relief Road & Bridge (Blakes Corner)
- e. West Clare Coastal Infrastructure Scheme
- f. CFRAM Flood Relief Schemes (Springfield, Kilkee)
- g. Marine Tourism & Harbour Development Schemes
- h. Coastal Flooding & Erosion Risk Management Studies

The motion was seconded by Cllr. Lynch.

Reply from Sean Lenihan, Senior Engineer, Project Management Office:

Yes of course, I would be happy to attend and brief the Members on progress and current status of the above-mentioned projects and indeed any other projects that are being progressed within the West Clare Municipal District.

10. Notice of Motion from Cllr. Joe Killeen:

We welcome the funding for the development of portions of the West Clare Railway Greenway. We now seek clarity as to the next steps on the Ennis, Ruan, Corofin, Clouna, Ennistymon section of the project. Request that the landowners be consulted, and their wishes included in the proposed route from the outset. Seek assurances that the Corofin spur joining Corofin Village to the Greenway will be included from the initial planning stage.

The motion was seconded by Cllr. Talty.

Reply from Sean Lenihan, Senior Engineer, Project Management Office:

The Members will be aware of the Councils longstanding objective to deliver a world class Greenway notionally along the route of the former West Clare Railway from Ennis as far as Kilkee. Section 2 of the proposed Greenway covers the route from Ennis to Ennistymon and takes in the areas as mentioned in the Motion. We recently published a Tender Competition for the appointment of consultants to progress this section from Options Report/Route Selection through to Planning and Tender stage. The Tender Assessment Board are meeting on Friday of this week following which we will be able to appoint the successful Company and commence the initial stages of project design following the allocation of €200k for the Ennis to Ennistymon Section as announced by the Minister just before Christmas.

Regarding consultation with Land and Property owners along the route, absolutely. It is accepted that for the most part, the lands are in private ownership and fundamental to the success of this project will be meaningful and extensive engagement and negotiation with the those affected. We would welcome their ideas, suggestions and comments as the project develops and we look forward to initiating the consultation phase of the project as soon as possible to develop a suitable route.

The success of projects such as this depend on good connectivity with towns and villages along the route so yes, it is very much our intention to link the proposed Greenway with Corofin in this instance which will have a significant benefit to the town and environs in terms of business, health, and tourism opportunities.

11. Notice of Motion from Cllr. Joe Killeen:

We call on West Clare M D / Clare County Council, in conjunction with local media outlets to make people of North and West Clare aware that the County Development Plan is open for public consultation at the Pavilion in Lisdoonvarna on Tuesday 25th of January and Kilkee Community Hall on Tuesday 11th of February with further arrangements clarified.

The motion was seconded by Cllr. Garrihy.

Reply from Helen Quinn, A/Senior Planner, Planning Department:

On the 10th December 2021 the Draft Clare County Development Plan 2023-2029 was placed on public display for a period of public consultation up to 28th March 2022. During this consultation period members of the public, community groups, organisations and stakeholders can make written submission/observations on the draft development plan. As part of the consultation process a series of consultation events have been organised for a number of locations around the County which will be held from 4pm to 8pm at the following venues:

The Pavilion, Lisdoonvarna	Tuesday 25 th January 2022
Scout Hall, Ennis	Wednesday 26 th January 2022
Clonlara Community Sports and Leisure Centre, Clonlara.	Thursday 27 th January 2022
Kilkee Community Hall, Kilkee	Tuesday 1 st February 2022
Killaloe Hotel and Spa, Killaloe	Wednesday 2 nd February 2022

Clarecastle Community Hall, Clarecastle	Thursday 3 rd February 2022
Kilmihil Community Hall, Kilmihil	Tuesday 8 th February 2022
Tulla Cultural Centre, Tulla	Wednesday 9 th February 2022
Newmarket on Fergus Community Hall, Newmarket on Fergus	Thursday 10 th February 2022

Those who attend will have the opportunity to find out more through information displays on the Draft Clare County Development Plan 2023-2029 as well as to talk to members of staff from the planning department who can answer questions, explain the process, and provide information on how people can become involved. A media campaign to promote the consultation events, raise public awareness and to promote and encourage public engagement in the process is underway and this will intensify over the coming weeks in advance of and during the public consultation events. Through the use of the Council's social media platforms, the local press and radio media, as well as through the PPN, parishes offices (for Parish newsletters) and schools, every effort is being made to reach as wide an audience across the County as possible. The media campaign will be on-going throughout the consultation period.

12. Notice of Motion from Cllr. Ian Lynch:

Can the members be presented with the following information on social housing for the WCMD:

- a) Number of applications for each local authority housing area (town/village)
- b) A breakdown of the housing needs for each area (bedroom requirements)
- c) Number of available properties and bedroom numbers for these properties per locations
- d) Number of vacant properties and bedroom numbers for these properties per locations
- e) Number of derelict properties and bedroom numbers for these properties per locations
- f) The social housing works programme, with estimated timelines, for the WCMD to include new builds, refurbishments and putting back in to use
- g) What efforts are been made to meet the housing needs of large families (4+ children)

Can these figures be presented in relation to the figures made available to the same motion in January 2021.

The motion was seconded by Cllr. Murphy.

Reply from Siobhán McNulty, Senior Executive Officer, Housing

Reply is attached.

Siobhán McNulty, had a discussion with the councillors outlining the Housing Department is bound by the regulations in relation minimum standards, house size and family size e.g. can't allocate a 3 bed house to a family that is deemed to require a four bed, the Housing for All scheme is in relation to new builds only. She also outlined that the building program is proceeding in Miltown Malbay and Ennistymon.

13. Notice of Motion from Cllr. Ian Lynch:

Can an update on the use of CCTV camera within our towns and villages be presented to the members as well as an update on the measures to be implemented in tackling the ongoing issue of fly tipping throughout West Clare with specific focus on the bottle banks in Kilrush Car park.

The motion was seconded by Cllr. Murphy.

Reply from Cyril Feeney, Senior Engineer, Environment

The use of CCTV for monitoring and investigating Illegal dumping is one that requires careful consideration as it impacts on the General Data Protection Regulations (GDPR). The Data Protection Commissioner concluded that neither the Litter Pollution Act 1997, the Waste Management Act 1996 nor the Local Government Act 2001 are sufficient to meet the requirements of the law enforcement directive provisions in Part 5 of the 2018 Act regarding the deployment of CCTV cameras for law enforcement purposes. However, the Circular Economy Bill currently working its way through the Oireachtas aims to provide for the GDPR-compliant use of a range of technologies such as CCTV for waste enforcement purposes. When this legislation is enacted the use of such technology will support efforts to tackle illegal dumping and littering across county Clare.

It should be noted that only last week the Data Protection Commissioner has fined and reprimanded a neighbouring local authority €110,000 for the improper use of CCTV without a lawful basis.

<https://www.irishexaminer.com/news/munster/arid-40784823.html>

Clare County Council's Environment Enforcement Section carry out checkpoints with An Garda Siochana across the county in order to target the illegal transport and disposal of waste materials. The checkpoints are conducted outside of normal business hours and across a number of locations. This co-operation with An Garda Siochana is part of an ongoing effort to curb this illegal activity across the county. The Council continue to invest significant resources in the Environment Enforcement section and work with communities and the Municipal Districts, to eliminate this illegal activity.

We are also implementing the Waste Management Bye Laws to identify households which do not have a waste collection service and thereby ensure that their waste is disposed of correctly.

Our Enforcement team have an active presence throughout the county and our community wardens routinely carry out patrols to monitor and deter any illegal activity. Our wardens also investigate all illegally dumped waste, and we prosecute offenders where we obtain sufficient evidence. The illegal disposal of waste under The Waste Management Act is a serious offence. Penalties for serious dumping offences provided for under the Waste Management Acts are substantial. Persons who are found to be responsible for, or involved in, the unauthorised disposal of waste are liable to a maximum fine of €5,000 on summary conviction and/or imprisonment for up to 12 months, and to a maximum fine of €15 million on conviction on indictment and/or imprisonment for up to 10 years.

Clare County Council working with the other local authorities in the region have a co-ordinated approach to tackling this problem and have utilised a variety of measure to raise awareness on the issue. We actively promote the Green School programme in partnership with An Taisce which imparts valuable information to children regarding recycling and the correct disposal of waste materials. The lessons learned at this early age help children to not only educate their parents but also instils values in children which they bring to adulthood. We also promote and support voluntary groups during the National Spring Clean activities which include community litter picks.

It is important to also acknowledge the general public who continue to recycle and dispose of their waste correctly either through an authorised collection service, bring banks or amenity sites. In fact many items that are illegally dumped could be recycled for a small nominal fee and certain items such as electric goods and textiles are actually free to recycle at our amenity sites.

Works have also been carried out recently at the bring banks in the Place de Plouzane carpark Kilrush with the repair of the damaged wall and the erection of new fencing to deter waste being dumped behind the bottle bank boundary wall. The existing temporary bottle banks will also be removed in the coming week which will also improve the appearance of the site.

Cllr. Lynch added that the message needs to be made clear that dumping is not acceptable and people will be prosecuted.

14. Notice of Motion from Cllrs. Cillian Murphy and Joe Killeen:

That the West Clare MD set up a working group to lead on engagement and consultation with any and all stakeholders involved in offshore wind energy development. This working group should comprise of elected members of West Clare MD, all the Clare Oireachtas members and a senior executive member from each service directorate.

Reply from John O'Malley, A/Senior Executive Officer, West Clare MD:

The West Clare MD will work with our Physical Development Directorate who are the lead for Clare County Councils Climate Action Strategy to setup this working group. Resources at Senior Executive level from each Directorate will have to be identified that are available to this proposed working group.

Discussion was had by elected members of that offshore wind development potential must be utilized. Oireachtais members need to step up in a very visible, political weight is needed behind. It was requested that Clare's TDs would be invited to address the West Clare MD.

15. Notice of Motion from Cllr. Shane Talty:

Can the Director provide a detailed update on the progress of the Ennistymon Streetscape improvement project. Works to date, timeline for completion & the status of the delivery of a new off street car park within the town.

The motion was seconded by Cllr. Garrihy.

Reply from Leonard Cleary, Director of Services, West Clare MD:

The Ennistymon Streetscape project is progressing well with approximately 70% complete to date. Works fully completed include undergrounding all electrical cables and upgrades to existing drainage network. All overhead wires/poles have been removed and new public lighting is fully operational. The installation of new kerbs and paving has also commenced. Remaining works include the continuation of the new kerbs and paving, installation of street furniture and an art piece. New lighting has also recently been installed in the car park off Monastery Lane. It is expected that all works will be completed on the streetscape project by Q2 2022.

A suitable site has been identified for an off street car park within the town and we are entering the final stages in relation to the purchase of this site currently.

Cllr. Talty took the opportunity following discussion on Ennistymon to highlight the retirement of Gerry Moloney from Clare County Council after forty three years service. Gerry's immense contribution in keeping the town looking its best acknowledged and he was wished well in his retirement.

16. Notice of motion from Cllr. Liam Grant:

Call on the West Clare MD to arrange a pre-feasibility study for a pump track in Lahinch. The pump track in Shannon has been very successful and there is high demand for a similar facility in Lahinch. Looking particularly at the end of the promenade or top carpark as possible locations. There is also demand for such facilities in Kilkee and Lisdoonvarna, the council should look into carrying out feasibility studies and design work across all locations collectively.

The motion was seconded by Cllr. Murphy.

Reply from John O'Malley, A/Senior Executive Officer, West Clare MD:

The Shannon Pump Track project was project managed by Clare County Councils Forward Planning Section as part of the Shannon Town Park Project with EU funding from the Southern Regional Assembly's Operational Programme and matching funding from Clare County Council following extensive public consultation.

In order to progress the proposed pump track in Lahinch and other locations in the West Clare MD funding will be required to progress with a feasibility study which will include a public engagement process for these areas. I will work with the member on progressing this.

17. Notice of Motion from Cllr. Joe Garrihy:

I call on Clare County Council and partners Failte Ireland to focus as a priority on regeneration and investment in the Towns and Villages of north Clare included in the Burren Discovery Trail. The Towns of Corofin, Kilfenora and Lisdoonvarna are key to survival and sustainability of living communities, heritage and services associated with their adjacent rural catchments and are in urgent need of focus and investment while the current opportunities of funding and objectives of "our Rural Future" are available. At a minimum I call on Clare County Council to work for the preservation, addressing and prevention of further dereliction, regeneration /

bringing back into use the heritage properties of these Towns under community/willing private or state agency ownership which are at the very heart of placemaking and identity in North Clare. This requires urgency and commitment from Clare County Council and Fáilte Ireland to follow from the delivery of the Burren Discovery Trail and in context of Cliffs of Moher Strategy 2040 under development.

The motion was seconded by Cllr. Killeen.

Reply from John O'Malley, A/Senior Executive Officer, West Clare MD:

The County Clare Rural Development Strategy 2026 is targeted at specific geographical areas in order to maintain and grow their populations, providing special supports for combined towns and partnering parishes so that they can achieve sufficient scale of population and resources to attract public investment and justify private investment. It is also targeted at developing innovative and community-based social enterprise centres where multiple agencies can deliver their services and increasing the quality of the physical, built, social and cultural environment of rural areas so that they are more attractive places in which to live both now and in the future. This strategy includes the towns and villages of North Clare. Clare County Council has been working with our partners in developing the towns referred to in this motion, including the development of a Corofin Enhancement Strategy which is being progressed through our planning section in partnership with the NPWS.

The first viewing points along the Burren Discovery Trail were unveiled by Fáilte Ireland in partnership with Clare and Galway County Councils in December 2021. This is a new looped route off the Wild Atlantic Way designed to encourage visitors to explore more and stay longer in the Burren. The 95km Burren Discovery Trail takes visitors through the Burren Highlands in Co. Clare and Lowlands in Co. Galway encouraging them to engage with the stories of each local area and explore the many wonderful towns and villages in the region.

The Burren Discovery Trail is one of the catalyst projects identified through Fáilte Ireland's Visitor Experience Development Plan for the Burren and Cliffs of Moher which was published in 2021. The plan aims to create a sustainable tourism destination by extending the tourism season and spreading business across all parts of the region over the next five years.

Clare County Council is committed through the Cliffs of Moher Strategy 2040 to delivery of a world class destination through the development of enhanced relationships and links with the Burren, the Wild Atlantic Way, and the Wider Hinterland by using the iconic Cliffs of Moher as the magnet to attract and disperse visitors across the County. The Strategy aims to realise enhanced economic benefits from all visitors and spreading these benefits more widely across the county and the region. This includes encouraging visitors to stay longer, with increase bed nights, revenue and employment for the region.

Inherent in this strategy is the development and regeneration of the wider towns and villages that are connected to the Cliffs of Moher.

Clare County Council is committed to the regeneration of towns in North Clare and will continue to work with communities in these areas to ensure further progress in these towns and villages.

Discussion was had and point was made that focus is needed now without delay. Leonard Cleary commented that masterplans are required before there is a project.

It was proposed and agreed by all at this juncture that the meeting would be adjourned.

Before the adjournment Cllr. Murphy proposed a Vote of Sympathy for Michael Ryan, Kilkee who had only recently retired from the Council and had died unexpectedly. Condolences were offered to his wife Marian, his sisters and brothers.

The meeting was adjourned until 9.30am on Thursday 27th January 2022.

**Signed: Cllr. Cillian Murphy,
Cathaoirleach**

**Signed: John O'Malley,
Meetings Administrator**

Dated this 1st March 2022