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**Clare Public Participation Network Submission to Clare County Council in respect of amendments to the
Draft Clare County Development Plan 2023-2029**

2/1/23

Clare PPN is a network of 342 community & voluntary, environmental and social inclusion groups from Clare. Clare PPN has three ‘Colleges’ which gather the member groups in terms of their interests and activities – these are environmental college, social inclusion college and community and voluntary college. Clare PPN exists to facilitate the formal participation by the community sector in Clare County Council's decision-making structures and to serve as a support and information sharing network for the Community and Voluntary Sector in Clare. It is funded jointly by the Department of Rural and Community Development and Clare County Council but is autonomous and its activities are directed by its members through an elected secretariat. Clare PPN's website is www.clareppn.ie and we are on Twitter @clare_ppn and facebook.com/clareppn/

Clare PPN welcomes this further opportunity for engagement in the public consultation process on Clare's County Development Plan. We note that we have made submissions on a wide range of issues at previous opportunities to do so and that those comprehensive submissions continue to represent the collective views of the member groups who participated in our consultations. We make this further submission in respect of the amendments proposed to the Draft CDP, however this submission does not override or indicate acceptance of the treatment of issues raised in our previous submission but not addressed to our members satisfaction in the Draft CDP. Our network will continue to advocate where possible for the achievement of its policy objectives.

The topics covered in this submission include – Socio Economic Rights and the need for an explicit acknowledgement for poverty to be addressed within the CDP, a new concern about the concept of ‘net loss’ of biodiversity, CPPN environment college's continued opposition to Clare

Co Co's explicit support for a new fossil fuel project - the data centre in Ennis which as currently proposed is contrary to the interests of the population of Clare and wider society as well as contrary to our climate objectives. It includes a restatement of our concerns regarding fossil fuels, fracking and mining. We also include a further request for support for a rights of nature approach to be enshrined in Clare's CDP.

Volume 1 Written Statement

Section 1.6 Goals

As noted in previous submissions as part of this process Clare PPN considers the explicit inclusion of **the goal of reduction of poverty is essential for the 2023-2029** County Development Plan and must be a key objective of economic development initiatives, zoning or actions contained within it. As previously noted the time period covered by this County Development Plan coincides with a period in which a rapid decarbonisation of our society must take place. The scale and importance of the change required means that many aspects of life and livelihoods are subject to swift change. Without commitment to the principles of a just transition, underpinned by an explicit acknowledgement of the existence of and need to target measures towards poverty reduction it is very likely that an unjust transition which disproportionately affects those already struggling will be the result. We ask Clare County Council to lead the way in this. Clare PPN has done considerable work in this field over the course of 2021 and 2022 and our request for this inclusion is not a matter of wording or aspiration. It is a matter of ensuring that those making policy or strategies in Clare are aware that they are obliged to progressively realise the socio economic rights of all of those living in Clare.

Clare PPN notes, acknowledges and disagrees with the following from the Chief Executive's response to our previous submission(s) requesting an explicit commitment to the reduction of poverty be included:

"Chapter 1 Socio Economic Rights and Anti- Poverty I note the request, however I do not consider it is necessary to amend the vision as requested. As set out in Table 1 Five Strategic Development Plan Principles, I consider the term 'Inclusivity', which is included in the Vision, expresses the Council's commitment to reducing social exclusion, poverty and deprivation" Chief Executive Report on Submissions Part I (clarecoco.ie)

Inclusivity does not mean a commitment to reducing poverty or deprivation, although it may have some relevance to social exclusion. We provide the following dictionary definitions for inclusivity:

1. Cambridge: "the fact of including all types of people, things or ideas and treating them all fairly and equally"
2. Merriam -Webster: " the quality or state of being inclusive : INCLUSIVENESS"
3. Collins: "the fact or policy of not excluding members or participants on the grounds of gender, race, class, sexuality, disability, etc"

As will be noted from the above definitions the use of inclusivity **does not** mean the same thing as a commitment to reducing poverty or deprivation and in particular in a policy making context where particular measures, actions and resources are being allocated. Muddying the water between inclusivity and poverty reduction is unhelpful. We call on Clare County Council to use clear, unambiguous language and if, as it appears from the Chief Executive's response to us above that Clare County Council does wish to express its commitment to reducing poverty and deprivation, then it should use those exact words to do so.

In the context of the amendments we suggest that the following additions are now made to the goals in order to provide that clarity:

Goal I: A county that is resilient to climate change, **that using a just transition approach**, plans for and adapts to climate change and flood risk, **collaborates effectively with other counties and regions in renewable energy generation ensuring that the communities in which such projects take place benefit from them**, facilitates a low carbon future, supports energy efficiency and conservation and enables the decarbonisation of our lifestyles and economy.

Goal II: A county that drives local and regional sustainable growth **for the benefit all those living in Clare** by harnessing the potential of its unique location, quality of life, **renewable** natural resources and other competitive advantages.

Goal III: A county with strong and balanced urban and rural areas providing key services and a good quality of life and where people with social or economic requirements to live in the countryside are accommodated.

Goal IV: A county with high quality **universal design** housing at appropriate locations throughout the county, ensuring the development of a range of house types, sizes and tenures to accommodate differing household needs, promoting sustainable communities, social integration and inclusion, while facilitating a sense of place. **A county which proactively tackles vacancy and dereliction using all measures available to it to return such properties to long term housing supply.**

Goal V: A county **in which living wage or above** jobs and people are brought together and where the sustainable growth **of secure, well paid** employment, indigenous enterprise and economic activity is pursued proactively across all economic sectors throughout the county **and where measures are put in place to ensure that there are pathways to gainful employment or enterprise for all communities in the county.**

Goal VI: A county with viable and vibrant town and village centres, that have shopping areas and markets **and necessary health and transport services** at appropriate scales and locations and which function to serve their communities and rural hinterlands.

Goal VII: A county with diverse and strong rural communities and economy, where its natural resources are sustainably managed in a manner that is compatible with the fragility of rural areas and the existing quality of life.

Goal VIII: A county in which **jobs-based** tourism growth continues to play a major role in the future development of the county; a county which is the gateway to the West, delivering tourism experiences which reflect its strong commitment to **poverty reduction, a living wage**, sustainability, connectivity, innovation and new approaches to doing business; and a place that is globally recognised as a sustainable destination and where the benefits of tourism are spread across the county throughout the seasons.

Goal IX: A county where healthy and sustainable communities are developed and integrated with the timely delivery of a wide range of community, educational and cultural facilities where, through a commitment to equality, participation, accessibility, **the reduction of poverty** and social inclusion, the county develops as a unique **location for visitors** and with an enhanced **realisation of the socio economic rights and quality of life for its citizens and residents.**

Goal X: A county that supports strong **sustainable economic activity** where it is compatible with wellbeing and a high quality of life for all residents through the provision of efficient and robust physical infrastructure whilst having regard to environmental responsibilities and complying with European and national legislation.

Goal XI: A county that builds on the strategic location and **renewable** natural resources of the Shannon Estuary by facilitating and maximising its potential for various forms of development **which provide an evidence based sustainable benefit** to the community and wider population while **protecting** ~~managing~~ the estuarine and natural environment in full compliance with all relevant EU Directives.

Goal XII: A county that maximises and manages the economic, social and recreational potential of the Atlantic Coastline and Shannon Estuary while protecting the coastal zone's **unique**

and irreplaceable biodiversity and habitats and its resources and adapting to and managing the challenges of climate change including flooding and sea-level rise.

Goal XIII: A county of 'living landscapes' where people live, work, recreate and visit while respecting, **protecting** ~~managing~~ and taking pride in the unique landscape of the county.

Goal XIV: A county that protects, **restores** and enhances its unique natural heritage and biodiversity and recognises the potential for sustainable green infrastructure development, while promoting and developing its cultural, educational and eco-tourism potential in a sustainable manner **which benefits the residents of Clare**.

Goal XV: A county that affords protection and conservation to buildings, areas, structures, sites and features of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and recognises them as a social, cultural and economic asset to the county.

Goal XVI: A county with a strong and vibrant network of towns and villages that provide a wide range of services and a high quality of life for residents of the county.

Goal XVII: A county that promotes **universal access** buildings, urban spaces and public realm of the highest quality and ensures all development adheres to the principles of good design, **universal access**, and contributes to the establishment of distinctive buildings and areas with a 'sense of place'.

Goal XVIII: A county where the overall strategic objectives of the County Development Plan are translated into settlement plans and local area plans containing detailed land-use zonings and master-planning of neighbourhoods in an evidence-based, plan-led approach with a focus on ensuring a high quality of life, **a just transition to a low carbon society and the reduction of poverty**.

Goal XIX: A county that manages and monitors the county level implementation of the National Planning Framework, Regional Spatial Economic Strategy, national plans and guidelines to ensure that quality of life, sustainability, climate action, resilience, **reduction of poverty** and inclusivity are the fundamental principles of the future sustainable development of the county.

Goal XX: A County that plays a fundamental role in the transition from a linear to a circular economy, through being responsible for key policies in public services that affect citizens' well-being, economic growth and environmental quality, and by fostering the linkages to transition from linear model to a circular model which keeps resources in use for as long as possible **and seeks to minimise extraction of all non-renewable resources**.

This concludes our requests for changes to the goals. Further observations continue below:

Net Biodiversity Loss:

As previously noted, Clare PPN Environmental College has grave reservations about the concept of '**net biodiversity loss**' as used at CDP3.3 D 'd) To require all proposals to ensure there is 'no net loss' of biodiversity within developments'

The introduction of this term has grave implications as it indicates incorrectly that loss of biodiversity in one area may be compensated for by restoration or creation of biodiversity elsewhere - even within the same site. Areas of biodiversity are not interchangeable- with many habitats or areas being irreplaceable repositories. We wish to request that Clare Co Co rephrases the above to read 'no loss of areas of significant biodiversity'

Climate Action:

The Draft Clare County Development Plan (CDP) 2023-2029 acknowledges the climate emergency and, in Goal I in ‘Chapter 1 Introduction and Vision’ (page 11), aspires to making Clare “a county that is resilient to climate change, plans for and adapts to climate change and flood risk, is the national leader in renewable energy generation, facilitates a low carbon future, supports energy efficiency and conservation and enables the decarbonisation of our lifestyles and economy.” Also on page 11, the ‘Vision for County Clare’, envisages the county as “a national leader in climate action”.

Clare PPN/CEN welcomes the priority given to climate and climate action here and also the inclusion of an entire chapter on climate action for the first time in the Clare County Development Plan. However, these are rendered meaningless by certain other objectives within this Plan, especially the commitment to build a huge data centre near Ennis that includes what is effectively a large gas-burning power station and which would result in a significant rise in Ireland’s greenhouse gas emissions. We note from the amendments that the CDP continues to state its strong support for this project and we request as previously done that all references to this are removed from the County Development Plan. Our original submission as reproduced below continues to be CPPN Environmental College’s position and we request that Clare County Council revisits its position by removing all references to data centres from the Draft CDP and amendments.

Similarly, CDP Objective 11.46 includes facilitating the “expansion of the Natural Gas infrastructure throughout the County”, which also runs counter to the goals and objectives of climate action and decarbonisation.

The Climate Action and Low Carbon Development (Amendment) Act 2021 a3221.pdf (oireachtas.ie) states (16) that Local Authorities shall when making development plans, take account of their Climate Action Plans. CPPN/CEN note that as yet, Climate Action Plans have not been completed by Local Authorities, however Clare County Council will be obliged to complete such a plan through public consultation including with the PPNs. According to the schedule detailed in the above named act, local authorities should have a completed Climate Action Plan in place by **February 2023**. Clare PPN/ CEN consider that this Draft CDP in particular in its support for the expansion of fossil fuel technology will *either* not be compatible with Clare Co Co’s Climate Action Plan or that Clare Co Co’s Climate Action Plan will not be compatible with the national long term climate action strategy. In the following sections we set out some means of addressing this:

Ennis Data Centre

Development Plan Objective CDP6.27 is:

“To facilitate and support the development of a data centre on the Enterprise zoned lands (ENT 3) at Toureen Ennis subject to normal planning considerations and the implementation of the findings of the SEA and AA associated with this Plan.”

Clare PPN/CEN notes that for the past several years, the proposed data centre has been heavily promoted and advocated for by Clare County Council including in its , which took the unusual step of amending the existing Clare County Development Plan 2017-2023 to incorporate the proposed facility and rezone the necessary lands. In the interim it has become clear that for reasons of carbon emissions, energy security and sustainable local development that a project of

the size and scale proposed which is reliant on fossil fuels is contrary to the interests and wellbeing of the people of Clare.

The proposal is incompatible with several Objectives and Goals within the Draft CDP 2023-2029, including:

• *Development Plan Objective CDP2.14, “to facilitate measures which will accelerate the transition to a low carbon economy and a circular economy...”; “to support the development of enterprises that create and employ green technologies and to promote County Clare as a Low Carbon County...”; “to facilitate the development of energy sources which will achieve low carbon output.”*

• *2.7.3 Decarbonisation Zone - Goal I: “A county that is resilient to climate change, plans for and adapts to climate change and flood risk, is the national leader in renewable energy generation, facilitates a low carbon future, supports energy efficiency and conservation and enables the decarbonisation of our lifestyles and economy.”*

The proposed data centre is also not in compliance with the goals of the Clare Local Economic and Community Plan or the Clare Renewable Energy Strategy, concerning the need to reduce energy use and greenhouse gas emissions.

The proposed data centre would:

- significantly increase Ireland’s greenhouse gas emissions, both through the burning of fossil gas on site to generate electricity and through the huge consumption of electricity from the national grid;
- increase the risk of electricity blackouts nationally due to this extra strain on the grid;
- increase Ireland’s reliance on imported gas, at a time when global events clearly demonstrate an urgent need to reduce our dependence on imported fossil fuels;
- divert huge volumes of treated water away from domestic and other users in Clare.

According to details set out in the planning application for the facility, which was lodged with Clare County Council in July 2021, it would involve:

- an electricity load of 200MW, the equivalent electricity consumption of all the homes in Clare, Limerick and Kerry combined;
- huge gas turbines generating 120MW of electricity – effectively a large fossil fuel-burning power station within the data centre;
- a draw of 80MW of electricity from the national grid;
- the consumption of up to 1,000,000 litres of treated water per day in hot weather.

<https://www.eplanning.ie/ClareCC/AppFileRefDetails/21757/0>

In September 2021, the Council responded to the developer, with a Request for Further Information (RFI). This RFI, among other suggestions, noted that excess heat from the proposal “may provide an opportunity for the provision of a district heating system” for the local area. While this is a useful suggestion, and while it is important to avail of any opportunity to use excess heat from new industrial facilities for district heating, this modification to the proposal would represent only a relatively minor tweaking of the overall climate impact of this data centre.

The Council’s response did not challenge the fundamental problems posed by the proposed data centre, namely that it will, if built, result in a dramatic increase in the burning of fossil fuels

and an increase in Ireland's greenhouse gas emissions; cause significant air pollution in the local area; and will consume vast quantities of treated water – an increasingly scarce resource.

A very strong case has been made for banning new data centres in Ireland, on grounds of climate, energy security, pollution and water scarcity. Most recently, on March 10th, 2022, in response to the energy crisis exacerbated by the Russian invasion of Ukraine, the highly respected MaREI centre at University College Cork published '10 actions that will reduce Ireland's use of fossil fuels by 10% a year'. One of these actions is to 'Pause New Connections on Data Centres', which would reduce Ireland's dependence on imported fossil fuels by the equivalent of 750,000 barrels of oil per year.

<https://www.marei.ie/10-actions-that-will-reduce-irelands-use-of-fossil-fuels/>

Clare PPN/CEN also regard it as problematic that Clare County Council is simultaneously a promoter of the proposed data centre and also the planning authority which will decide whether to grant planning permission to the data centre.

- Clare PPN/CEN request that:
 - all commitments to build, promote or support data centres in Co Clare should be removed from the CDP 2023-2029;
 - the CDP 2023-2029 should stipulate that no new industrial developments that increase the burning of fossil fuels be permitted in Clare;
 - no developments should be allowed that will result in a significant increase in consumption of electricity/fossil fuels.

Clare PPN environment college note that justifications now being made for this project include speculation about the possibility of it being powered in the future by green hydrogen, and whilst we are keen to see the development of clean energy technology we wish to make the following observations for the record:

1. The project currently under consideration and supported by Clare County Council is for a predominantly fossil fuel powered facility (Gas & Diesel)- this is incompatible with our commitments to decarbonize our society. It is unequivocally a new fossil fuel project which will emit significant levels of carbon and consume large amounts of water with extremely limited benefit for the wider community in Clare. Should a green hydrogen data centre planning application be submitted in the future then proper consideration of that could take place, as there is currently no proposal for a renewably-powered data centre on the table for this site we can only comment on the actual proposal and that is one which Clare PPN environmental college are opposed to. It is not a project in the common good.

2. 96 % of hydrogen currently produced is produced from fossil fuels and while this may change in the future, currently it offers no solution to the energy needs of the proposed project.

3. As green hydrogen and other clean energy sources become available there will be a range of competing needs for these resources: the establishment of a data centre located in Ennis is not a priority in these terms.

4. If we end up in a circumstance where we have a green energy surplus in Ireland there might be a case to be made for a development such as this to be reconsidered however even in that case a cost benefit analysis for use of the land and water in question for this would be needed.

Fossil fuel infrastructure:

Climate scientists, including the IPCC, have warned that humanity must rapidly shift away from burning fossil fuels - including fossil gas - in order to avert catastrophic climate breakdown.
<https://www.ipcc.ch/report/ar6/wg2/>

Clare PPN/CEN notes that CDP Objective 11.46 includes:

“To facilitate the delivery and expansion of the Natural Gas infrastructure throughout the County for both domestic and business/industry use...”

This objective is counter-productive to the requirement to reduce fossil-fuel burning and runs counter to the objectives set out elsewhere in the Draft CDP 2023-2029, including: “To facilitate measures which will accelerate the transition to a low carbon economy” (CDP Objective 2.14); and to “facilitate a low carbon future...” and “enable the decarbonisation of our lifestyles and economy...” (Goal I, on page 11).

Clare PPN/CEN request:

- the removal of CDP Objective 11.46;
- the inclusion in the CDP 2023-2029 of a commitment to ban all new investment in fossil fuels or in fossil fuel infrastructure.

Fracking

Clare PPN/CEN notes that Objective CDP 8.13 is:

“To require the application of the precautionary principle to Unconventional Oil/Gas Exploration and Extraction (UGEE) projects/operations proposed within the County subject to the requirements of CDP Objective 3.1.”

- Clare PPN/CEN considers that this requirement does not go far enough and requests that, in light of the fact that UGEE - also known as hydraulic fracturing or fracking - has been banned by law in the Republic of Ireland since 2017, the Clare CDP 2023-2029 should:
 - be more explicit in stating that such activity should not be allowed in Clare under any circumstances;
 - include a commitment that no gas produced via hydraulic fracturing shall be imported and no planning permission will be granted in Co Clare to any projects seeking to import such gas.

Mining

Objective CDP 8.14 is:

“To promote the extraction of minerals and aggregates and their associated processes where such activities do not have a significant negative impact on the environment, landscape, public health, archaeology or residential amenities of the receiving environment...”

Mining for precious metals is among the most destructive industries in the world. “Such activities” invariably do have “a significant negative impact on” any or all of “the environment, landscape, public health, archaeology or residential amenities of the receiving environment.”

Mining displaces communities, contaminates drinking water, scars the landscape, has a negative impact on small-scale farming, fishing and eco-tourism and often poses a threat to existing employment in the area. Mining is associated with the largest amount of toxic waste produced by

any industry, which can cause severe ecological damage and pose threats to surrounding communities. Chemicals used include mercury and cyanide. Mining is also a significant emitter of greenhouse gases.

<https://corporatewatch.org/resistingthegoldrush/>

<https://earthworks.org/issues/mining/>

Clare PPN/CEN notes with alarm that an application made in late 2021 to the Department of the Environment, Climate and Communications by Minco Ireland Ltd for a prospecting licence (1543/ PLA 3788 – for Base Metals, Barytes, Gold and Silver in the Tulla area of Co Clare) covered an area that included three Special Areas of Conservation (SACs), a Special Protection Area (SPA) and three Natural Heritage Areas (NHAs).

- Clare PPN/CEN request:
 - the removal of Objective 8.14 from the CDP 2023-2029;
 - the inclusion of a commitment not to permit mining in Co Clare.

Rights of Nature

Member groups of Clare PPN's Environmental College have proposed that Clare PPN's actions be guided by a 'Rights of Nature' (RoN) approach. The RoN approach proposes a way to rethink our relationship with nature, in which humans are connected to and dependent on the natural environment and in which both humans and nature have equal and intrinsic rights to exist, regenerate, evolve and thrive. The RoN approach aims to provide guarantees for the protection of life on earth through our current legal and political system. In 2021 local authorities in Donegal, Derry, Fermanagh and Tyrone adopted pioneering motions recognising the Rights of Nature. **Clare PPN notes that in November 2022 83% of those participating in the Citizen's Assembly on Biodiversity Loss voted in favour of making a recommendation to government that nature should be constitutionally protected. This makes it likely that this will become policy in the short term and on that basis Clare Co Co could feel secure in taking steps at this stage to integrate this approach.**

Clare PPN/CEN recommend that Clare County Council also adopts a Rights of Nature approach and that this be enshrined in the Clare CDP 2023-2029. Many of Clare County Council's rural and economic development strategies would benefit from this approach being taken, in particular in relation to tourism, well-being and recreation.

Addressing the climate and biodiversity emergencies and achieving sustainable rural development are key goals for Clare County Council. Taking a RoN approach will futureproof the Clare CDP 2023-2029 and will help Clare County Council to be at the forefront of sustainable development, climate action and climate adaptation. This approach will also help to shift from the Council's current extractive approach to our environment to more of a custodianship approach that can create a circular, sustainable, regenerative economy and society.

Clare PPN welcome this opportunity to make submissions in respect of the Amendments to the Draft Clare CDP 2023-2029 and we trust that the views of our member groups and participating individuals will be given careful consideration. We welcome any queries about any aspect of this submission. We wish to state in conclusion our commitment to working collaboratively to maintain and improve the sustainability of our communities in a manner that seeks to include and consider every member of the population in Clare and the future generations to come.

Any queries in relation to this submission can be directed to Sarah Clancy, Clare PPN Coordinator, for the attention of the Secretariat of Clare PPN:

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