

**Minutes of the Ennis Municipal District Meeting held on Monday 14<sup>th</sup> July, 2014, at 10a.m., in the Council Chamber, Áras an Contae, New Road, Ennis, Co. Clare.**

**Present:**

**Councillors:** J. Breen, J. Flynn, P. Daly, A. Norton, M. Howard, P. Murphy, C. Colleran Molloy.

**Officials:** Gerard Dollard, Director of Services, Eamon O'Dea, Town Engineer, Fiona Whelan, Staff Officer

**Item No. 1 – Minutes of AGM of the Ennis Municipal District held on 10th of June, 2014.**

The Minutes of the AGM 2014 were proposed by Cllr. Breen, seconded by Cllr. Murphy and agreed. No arising matters.

**Item No. 2 – Nominations of Representatives from Ennis Municipal District to the Corporate Policy Group**

Cllr. Breen proposed Cllr. Howard, Cllr. Murphy seconded Cllr. Howard and as there were no other proposals and Cllr. Howard's nomination was agreed.

**Item No. 3 – Nominations to organisations:- Ennis Tidy Towns Committee, RAPID AIT, The Junction and Phoenix Twinning Board.**

Cllr. Norton proposed Cllr. Breen to the Ennis Tidy Towns Committee, Cllr Flynn seconded Cllr. Breen and as there were no other proposals Cllr. Breen's nomination was agreed.

Cllr. Daly proposed Cllr. Colleran Molloy to RAPID AIT, Cllr Howard seconded Cllr. Colleran Molloy and as there were no other proposals Cllr. Colleran Molloy's nomination was agreed.

Cllr Howard proposed Cllr. Murphy to The Junction Committee, Cllr Breen seconded Cllr. Murphy and as there were no other proposals Cllr. Murphy's nomination was agreed.

Cllr. Breen proposed Cllr. Norton to the Phoenix Twinning Board, however as Cllr. Howard had already been involved on this Twinning Board, it was proposed by Cllr. Flynn that Cllr. Howard continue her role, Cllr. Howard's nomination was seconded by Cllr. Daly.  
Cllr. Norton withdrew her interest and Cllr. Howard was the agreed nominee.

#### **Item No. 4 - Approval of the Standing Orders regulating the meetings of Ennis Municipal District.**

A general discussion took place on the proposed date and time for the Ennis Municipal District meetings.

Concern was raised about the limited media coverage if the meetings were to continue on Monday mornings as Clare FM were not in a position to attend. It was agreed that the public needed to be kept informed of all public matters and that it was important that media coverage is maximised.

Following on from discussions, a vote took place and it was finally agreed to hold the meetings of Ennis Municipal District on the **2<sup>nd</sup> Tuesday of each month at 3.30pm** in the afternoons except for the month of August when no meeting is held.

Following the amendment of the date and time of the meetings to the 2<sup>nd</sup> Tuesday of each month at 3.30pm, the Standing Orders were then proposed by Cllr. Howard and seconded by Cllr. Daly and agreed.

#### **Item No. 5. - Declaration of Public Road – Ashline, Ennis.**

This matter was proposed by Cllr. Howard, seconded by Cllr. Daly and agreed by the meeting.

#### **Item No. 6. - Material Contravention of Ennis Environs Area Plan.**

Ger Dollard explained that this matter was to come before the full Council Meeting and was put on the Agenda of the Ennis Municipal District meeting for information purposes.

Cllr. Breen proposed to note it and it to be dealt with at the full Council Meeting, Cllr. Norton seconded this proposal.

#### **Item No. 7. – Notices of Motion.**

**Notice of Motion No. 1 submitted by Cllr J. Flynn and seconded by Cllr. Colleran Molloy**

"That Ennis Municipal District Committee urgently ( by end 2014) proceed with a plebiscite to establish a BID which will support a "Town Team" comprising individuals from backgrounds such as business, community , political , Town Executive , REI or equivalent, and various experts from related areas (such as branding, etc). Such a Town Team to be tasked , supported and resourced ( by a Business Improvement District BID ) to coordinate with others to significantly improve the performance of Ennis Town to be within top 10 Towns as adjudicated by Retail Excellence Ireland REI by 2015 from its current position around 70th out of the top 100 . "

**Ger Dollard replied as follows:**

A BID area in a town is a defined area within which businesses pay a BID levy (membership fee) in order to fund projects within the BID's boundary. This BID levy is an agreed additional percentage of the rates payable by ratepayers in the BID area. The rates levied are retained by the local authority while the BID levy is paid to the BID company / proponent. The Local Authority collects both the rates and the BID Levy.

The decision to approve a BID proposal and hold a plebiscite is a reserved function of the Local Authority. At least 1/3 of the total number of members of the authority concerned must vote in favour of the resolution. The purpose of the plebiscite is for the local authority to ascertain whether there is adequate support for the proposal.

A BID Company must be established which is a company limited by guarantee and registered under the Companies Acts. Board of the BID Company is to include at least 2/3 membership from or representatives of ratepayers and 1 or 2 representatives from the local authority depending on the size of the board.

Promote Ennis have been in discussion with Retail Excellence Ireland the possibility of developing a BID area for Ennis based on the Purple Flag area and have carried out some preparatory work. In June 2014, Promote Ennis decided to provide the funding for a suitably qualified person to be engaged to prepare a BID proposal for Ennis. Retail Excellence Ireland has indicated that it would support the implementation of a BID area in Ennis.

However, until a BID proposal has been submitted and complies with the legislative requirements a plebiscite cannot be considered by Clare Co Council (Rating Authority).

**Notice of Motion No. 2 submitted by Cllr. J. Flynn and seconded by Cllr. Breen.**

"I request a report be provided to the elected members of Ennis Municipal District Committee for discussion on progress with regard provision of a covered "Milk Market " style area for Ennis, since my related notices of motion of April 2013 and March 2011 to those Ennis Town Council meetings (" Taking encouragement from the success of Limerick's Milk Market that Ennis Town Council carry out feasibility research on identifying a number of locations for consideration as suitable for use as to provide a similar family friendly all-weather market experience in Ennis ").

**Ger Dollard replied as follows:**

Phase One of the overall Market redevelopment project envisages the provision of a covered market at Garraunakilla. This proposal has been the subject of detailed

consultation and has progressed through the Part 8 planning process which was approved by Ennis Town Council earlier this year. Following on from the completion of the planning process, further consultation has taken place, initial archaeological investigation has been completed and the Design Team are progressing a detailed design so that the project can be brought to tender stage.

Separately, Ennis Town Council approved the raising of a loan of €1.75m to fund this project and formal application has been made to the Department of the Environment for sanction to the raising of a loan in this sum. At this point in time, formal approval has not to date been received but the Council is continuing to engage with the Department in relation to the matter. It is unlikely that any significant financial requirement will arise in the current year and it is the Council's intention to progress the project to a "shovel-ready" stage. At that point, it would be essential that formal funding decisions are made in relation to the project.

The project offers a very significant basis for a rejuvenation of this area and the intention would be to follow on, subject to funding, with further phases of the Market redevelopment project.

Cllr. Breen questioned if the Planning Notice for the project in the Market was displayed in a prominent location for this project as it had been suggested to him that this was not the case.

Ger Dollard assured the members that this was not factual and that numerous submissions were received by the Council during the Part VIII planning process. The project was also given wide media coverage.

It was also agreed that a full presentation be given to all members of Ennis Municipal District on the proposed project. The details of the Project can also be viewed or downloaded from the Internet.

Cllr. Collieran Molloy queried what areas would be covered in Phases 2 and 3 of the Project.

Ger Dollard informed the meeting that the Barrack Street area would be covered in Part 2 and Lysaghts Lane/Morans Carpark would be Part 3.

**Notices of Motion No. 1 submitted by Cllr J Breen seconded by Cllr. Murphy.**

I am asking this Council to take charge of the following roads that are now in an excellent state of repair:

- a. The road from Lickaun Cross to Pat Barry's house at Loughbourke ( approximately 1 mile)
- b. The road from Lickaun Road to McGuane's house at Clongowna, Kilnamona (approximately 1/2 mile):

**Eamon O'Dea replied as follows:**

The roads are in a fair condition however they will need remedial works before they could be considered for taking in charge. The Road (a) in the town land of Cloongowna was previously on the list for the Local Improvement Scheme which is no longer in operation. The Council does not have sufficient funds within the roads budget to deal with all of the local secondary and tertiary roads. The only means of funding available to the Council for the upgrading/improvement of local tertiary roads is the CIS Scheme which requires local contribution and the Council has no guarantee that the CIS Scheme will be in place next year. Eamon O'Dea agreed to re-visit the motion again in September.

**Notice of Motion No 2 submitted by Cllr J. Breen & seconded by Cllr. Flynn.**

"I am asking this Council how many housing estates in Ennis have not been taken charge of by the Council".

**Bernadette Haugh replied as follows:**

In the past year and a half, 11 estates have been taken in charge in the Ennis Municipal District and the Statutory Process has commenced on a further 2 developments since April of this year. Of the remaining 44 developments recorded in our current Register of Estates for the Ennis Municipal Area, the Planning Authority is satisfied that significant progress is being made to progress these developments through negotiations with Receivers, Bondholders & Developers and in some cases works to complete developments to the standard required for taking in charge are well advanced.

It was then queried if a response had been received from the Dept. in relation to funding. Ger Dollard informed the meeting that no formal response had been received, however, the likely response would probably allude to the property tax for the County and the discretion of the members in relation to the raising of property tax if extra funding was required.

**Notices of Motion No 1 submitted by Cllr C. Colleran Molloy seconded by Cllr. Daly**

"That this Council address the need for additional exit signs for Ennis town centre on the northern part of the motorway at the current Tulla\Scariff Exit; and the need for brown exit signs at current Quin Exit for Quin Abbey & Knappouge Castle."

**Eamon O'Dea replied as follows:-**

Junction 13 on the M18 is not intended as a primary access road to Ennis and provides a means of direct access to the R352. I would not be recommending the inclusion of Ennis on the signs at junction 13 until the Cappahard Roundabout is constructed. The NRA Policy on the provision of tourist and leisure signage on national roads sets out the

manner in which tourist signage can be provided on national roads. Based on the number of visitors per annum the provision of directional signage on the exit ramp roundabouts at junction 11 is in line with NRA Policy.

It was agreed that a letter should now issue to the new Minister for the Environment seeking funding for the Roundabout at Cappahard as a starting point before the other issues in relation to the signs be addressed.

Cllr. Breen requested a sign to be installed on the Motorway with directions to Spancilhill in order to acknowledge the oldest fair in Ireland. It was suggested that Cllr. Breen submit a Notice of Motion in relation to this request.

**Notice of Motion No. 2 submitted by Cllr. Clare Colleran Molloy**

That Ennis Municipal District apply funding for the repair of footpaths and flooding relief at Knocknamana Heights, Clarecastle.

**Eamon O'Dea replied as follows:-**

Funding of significant repair or replacement of footpaths is by means of Discretionary Maintenance Funding in the Road Works Programme or by means of capital works. The present priority of work in the Clarecastle area is the completion of parking bays in St Josephs Terrace and the footpath from the Credit Union to Patrick Street Cross. The Council road sweeper suctions the gullies and sweeps the road at Knocknamana Heights as part of its works. The gullies discharge to soakaways that are not operating efficiently and need to be replaced which will be carried out once resources are available.

**Notices of Motion No. 1 submitted by Cllr M Howard seconded by Cllr. Murphy.**

That Ennis Municipal District outline a programme of works for Clon Road Beg (for clarity this is the road from Clareabbey/Kildysart Rd to the Watertower at Ballybeg. This road is unsafe and dangerous on many levels. The road surface is in an appalling state, its footpaths are non-existent as well as the road having badly overgrown hedges.

**Eamon O'Dea replied as follows:-**

The Council carried out the works from the N68 to the Water Tower by means of the Specific Improvement Scheme which funding is not available from the Department of Transport at present. The Council has €30,000 in the Roadwork's Programme Restoration Improvement Grant and it is intended to structurally improve and seal the road from the Water Tower towards the quarry this year. Funds from the discretionary maintenance funds will be used to improve drainage at the Ballybeg Lane junction. The Area office will be including this road in the Road Works Programme in 2015 also. There are proposals for a Group Sewerage Scheme adjacent to the Ballybeg

Stream Bridge. Previously there were proposals for an SLI Scheme from the Kildysart Road towards the Water Tower which delayed proceeding with works on this section of the Ballybeg Road.

A general discussion took place on the condition of one half of the road from the Kildysart Road to the Water tower in Ballybeg and in particular the poles which appear to be randomly placed along the stretch of roadway. Eamon O'Dea will investigate the issue of the poles and hold off on seeking legal advice, which had been suggested, as it may be as a result of planning issues and "set backs" as per planning.

**Notice of Motion No. 2 submitted by Cllr. Mary Howard seconded by Cllr. Murphy.**

That Ennis Municipal District consult with the NRA with a view to putting in place a pedestrian crossing on the Clareabbey Roundabout (on the western/ N85 side) to facilitate cyclists and pedestrians who need to be able to cross the road safely.

**Eamon O'Dea replied as follows:-**

The Clareabbey to Ballymaley Cycleway project funded under Active Travel Towns will seek to address issues for cyclists at this roundabout. Improvements were made to the traffic islands on the eastern and western exits of the Clareabbey Roundabout including the reduction of carriageway widths at the exits and an uncontrolled pedestrian crossing was provided. The area office has outlined the concerns of the Councillors and the public to the NRA Representative on the Motorway Maintenance Contract whom is responsible for the maintenance of this area.

This issue will also be looked at as part of the Cycle Way Project.

**Notice of Motion No. 1 submitted by Cllr P Daly seconded by Cllr. Breen.**

"I call on the Municipal District to seek funding for the purchase of the site at Buttermarket, Ennis, with a view to constructing either a ground floor car park, or a multi storey car park, particularly as parking in the town is at a premium presently".

**Eamon O'Dea replied as follows:-**

Ennis Town Council had pursued acquisition of this site for the purpose of car parking and had agreed a purchase price and paid a deposit. The site is being offered for sale on behalf of the Liquidator.

Following examination of title and other matters the Council on advice of the Town Solicitor and in the absence of issues being clarified by the Liquidator, the sale did not proceed.

The property was recently again offered for sale and the Council has again submitted a bid for the property.

**Notice of Motion No. 2 submitted by Cllr. Pat Daly**

"I request that Municipal District to install seating in the pedestrian area of Parnell St, as it would be a good tourism initiative for both tourists and local people".

**Eamon O'Dea replied as follows:-**

The Council will engage with the local businesses and residents to examine what is feasible on Parnell Street as access for emergency & service vehicles needs to be considered.

**Notice of Motion No. 1 submitted by Cllr. Paul Murphy seconded by Cllr. Howard.**

i) In light of the Cluain Ard estate, Clarecastle having been regarded as a flagship project at the time of construction and having received repeated representations from the residents association I am requesting the Director of housing to consider the following improvements to be made;

i) Removal of coloured gravel from the shrubbery embankment

ii) Removal of coloured gravel from the front of all apartments and replaced with paving or something easier to manage.

iii) Improve the grass verge and hedgerow on the right-hand side as you enter the estate.

**Leonard Cleary replied as follows:**

The removal of pea-gravel and landscaping improvement works in the Cluain Ard estate in Clarecastle, as outlined in the notice of motion, would certainly improve the appearance of the development. It should be noted however that at present the Housing Services Department do not have funding for non-essential maintenance works. In general, the financial resources available for the Housing Maintenance budget to meet the demands for a very large housing stock across the county and incorporating former town council and county areas is both a key challenge for the remainder of 2014 and an important budget issue for 2015 onwards.

The estate management unit in the Housing Services Department can provide assistance to establish a residents association in the estate. Some limited financial assistance can be provided to a residents association, which could enable the volunteers to carry out the landscaping works on a phased basis.

Stones/gravel being thrown was also an issue and shrubbery was unkept. The residents association, which is already in place, is disillusioned at this stage.

It was also suggested that the Clarecastle Tidy Towns Committee may be able to assist with the other bodies involved.

It was also noted that there were issues in De Valera Park near the library with gravel being thrown and cars being damaged and windows broken.



**Notice of Motion No 2 submitted by Cllr. Paul Murphy seconded by Cllr. Norton.**

"I am requesting that the "unfinished footpath" on Shanaway road from Radharc na Coille to Casey's entrance is finished and brought up to an acceptable standard to walk on comfortably."

**Eamon O'Dea replied as follows:**

The priority work in this area is to carry out replacement of sections of the footpath on the N85, subject to available resources the Council will provide screenings on the footpath along this section. There is a footpath available on the opposite side of the Shanaway Road.

It was agreed that the footpath would be tidied up and make it easier for walking. When the opportunity arises it will then be completed to the correct standard.

### **Item No. 8 – Correspondence.**

The following correspondence was outlined by Ger Dollard and noted.

- a. Letter from Bus Eireann confirming that Bus Eireann is finalizing a new Ennis to Limerick schedule which operates via Shannon which they hope to introduce June/ July 2014.
- b. E-mail dated 21/5/2014 from Lynn O Keefe- Lascar complimenting then Ennis Town Council on the high quality parks and open spaces in Ennis especially in Friar's Walk near Glór.
- c. Letter from Minister for Transport dated 27/5/2014 advising that there is no specific legislation relating to parking for electronic or hydrogen fuelled vehicles. Draft regulations to provide for on-street parking spaces to be reserved for the recharging of electronic vehicles.
- d. "Thank you" dated 6/6/2014, from Lt. Col. John Quinlivan of the Clare 22BN Association thanking ETC for the support and assistance in the relocation and ceremony for the relocation of the FCA Plaque to Monastery Park.
- e. Extract from Local Government Reform Act 2014 - reserved functions

Part 1 - pages 217 - 224 inclusive - outlines reserved functions to be performed by the Municipal District Members

Part 11- pages 224 - 227 inclusive - outlines reserved functions that may be performed by Municipal District Members or by the full Council

Part 111- pages 227 - 243 inclusive - outlines reserved functions to be performed by the full Council.

- f. *General Municipal Allocation 2015-* for information & to note  
Provision for this allocation is made under *Circular Fin 05/2014* which allow for the *Manager* in conjunction with the *CPG* to allocate as part of the budgetary process some discretionary funding to the municipal district. This will be part of the discussions for the draft budgetary plan later in the year for 2015.
- g. *Local Area Rural Hackney Licence Guidance* document - copy attached for information.  
This is a guidance document in relation to the process of licencing local area hackney services. It is not intended to replace or displace conventional taxi or rural services bit to address transport deficits that would not otherwise be addressed in certain rural areas.
- h. Irish water contact details.

#### **Item No. 9 – Any other Business.**

- Members condemned the vandalism of flowers and shrubs in the turnpike area of Ennis over the weekend. It was described as a disgraceful act of vandalism and very disappointing especially in light of the letter ((b) under correspondence) praising the town.
- Members again requested the attendance of the Chief Superintendent at the September meeting of Ennis Municipal District to discuss anti-social behaviour in the town.
- It was requested that the gates of Drumcliffe Graveyard be opened on a Sunday for a limited period of time to allow elderly and immobile visitors access. Many visitors to the graveyard felt unsafe leaving their cars on the roadside due to the anti-social behaviour.
- Sarah Hynes, the Arizona Rose, would be visiting Co. Clare in the near future. It was suggested that Ennis Municipal District organise a lunch/meeting with her. The matter is to be discussed with the Mayor.

**The meeting then concluded.**

Signed: \_\_\_\_\_  
Mayor

Signed: \_\_\_\_\_  
Director of Services

Signed: \_\_\_\_\_  
Meetings Administrator