

Minutes of the Municipal District of Ennis Meeting held at 3.30pm on Tuesday, 6th October 2015, in the Council Chamber, Áras Contae an Chláir, Clare County Council, New Road, Ennis, Co. Clare.

Present:

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

Officials: Ger Dollard, Director of Services, Eamon O’Dea, Senior Executive Engineer, Catherine O’ Hara, Meetings Administrator & Fiona Whelan, Staff Officer.

Item No. 1. Minutes of the September monthly meeting held on the 1st September 2015.

It was proposed by Cllr. Mary Howard and seconded by Cllr. Ann Norton that the Minutes of the September monthly meeting, held on the 1st of September, 2015, as circulated, be agreed and adopted.

Item No. 2. Community & Arts Grants 2015.

It was noted that further information on a number of Community & Arts Grant applications remains outstanding.

An application was received from Ennis Street Radio, for a grant for the Christmas Street Radio for 2015.

A grant of €3,000 was proposed by Cllr. J. Flynn, seconded by Cllr. J. Breen and agreed by members.

Item No. 3 Licensing of Outdoor Events – Circular PL 2/2015 & S.I. 264 of 2015

Ger Dollard advised the members that as a result of the Gareth Brooks concerts debacle in 2014, revised regulations have now been issued for events with an attendance of more than 5000 people. The main changes are as follows:

- The introduction of a mandatory requirement for event promoters to have a pre-application consultation meeting with the relevant local authority prior to submitting an event licence application.
- Applications for Event Licences must be made at least 13 weeks prior to the Event
- Local Authority organised events will be subject to the same changes as promoter organised events.

The new regulations came into effect on the 1st of October, 2015 and will mean that decisions on events will be made earlier than before. It was also noted that an event licence will be required for the Fleadh Cheoil na hÉireann in 2016 and that experts have been appointed by Comhaltas who will work with all agencies concerned in relation to same.

Item No. 4 Agree date for Budget Meeting Circular Fin 08/2015 – 2016 Budget meeting and other Budget Matters.

Item No. 5 Agree date for unveiling of Roll of Honour for all Elected Representatives for Ennis 1889 – 2014.

It was proposed by Cllr. Ann Norton, seconded by Cllr. James Breen and agreed by members that the following meetings would take place on Thursday the 5th of November, 2015:-

- Budget Meeting Thursday the 5th of November, 2015, at 3pm
- November Monthly Meeting of the Municipal District of Ennis, at 3.30pm
- Roll of Honour for Elected Members in the Civic Room, Drumbiggle, Ennis, at 6pm.

Item No. 6 Extension of parking incentive – Ennis

Following a discussion on the report circulated to the Members it was agreed that Clare County Council will continue with Saturday afternoon free car parking from 2pm in public car parks in Ennis to the end of the year. No further Christmas incentives will be introduced.

Members welcomed the workshop that had taken place on Wednesday the 23rd of September, and congratulated the Council on the organisation of same. It was a very worthwhile exercise and was attended by members of the Municipal District of Ennis as well as representatives from the Ennis business community and Ennis Chamber of Commerce.

It was noted that the issue of parking charges will be a central part of the budget process for 2016 which is subject to full Council approval.

Item No. 7. Pedestrianisation – Ennis- Christmas 2015.

It was noted that the safety of pedestrians and enjoyment of customers and visitors to Ennis is important over the Christmas period. However it was agreed that it would not be appropriate to introduce extensive pedestrianisation for Ennis for this year. Based on dates similar to what was in place for 2014, it was proposed by Cllr. J. Flynn, seconded by Cllr. T. McNamara and agreed by the Elected Members of the Municipal District of Ennis that O' Connell St, Ennis would be pedestrianised for December 2015 as follows:-

- Saturday 19th December, 12.00 to 18.00
- Sunday, 20th December, 14.00 to 18.00
- Wednesday 23rd and Thursday 24th December 12.00 to 18.00

Item No. 8. Notices of Motion.

Notice of Motion submitted by Cllr. C. Colleran Molloy was seconded by Cllr. P. Murphy

In relation to the Abbey at Clareabbey, I ask that the Ennis Municipal District, fill the numerous potholes on the approach road to the Abbey, eliminate the ragwort weeds that are overtaking the Council lands surrounding the Abbey and clean and properly maintain the sluice gates to ensure that nearby farming lands are not flooded.

Eamon O’Dea, Senior Executive Engineer, replied as follows:

The Council will repair the access road to Clareabbey. The council carried out removal of ragwort on the N85 Relief Road this summer and the Motorway Contractor has sprayed ragwort on the N85 Embankments. The council will remove and treat ragwort on the access road to Clareabbey.

The sluice gates along the River Fergus embankment are operating correctly and are inspected on a number of occasions during the year. May, July and August had above average rainfall this year and the river gauges do not indicate any retention of water in the lower River Fergus.

Notice of Motion submitted by Cllr. Cllr J. Flynn was seconded by Cllr. M. Howard.

The Mill Wheel at the Maid of Erin Weir Ennis: In light of the long history of Milling in Ennis which culminated in the construction in the 19th Century of an elaborate Mills complex (most of which was demolished in the 1990's) that was built to harness the power of the Fergus ; That a progress report be provided on the works currently being carried out at the remaining Ennis Mill Wheel close to the Maid of Erin weir and that report to include , inter alia , an outline of the proposed usage of any Renewable Energy proposed to be harnessed by the works and if there is a potential to engage with an R&D partner such as UL and/or from the private sector in terms of innovation in the area of hydro generation .

Pat Stephens, Limerick Clare Energy Agency, replied as follows:

The potential for renewable energy (electricity) generation and export to the grid at the Ennis Mill wheel was examined as part of the overall refurbishment proposals in early 2013. The Mill wheel is recognized as a suitable site for renewable energy potential in the Clare Renewable Energy Strategy and Clare Micro Hydro study. Following an initial potential assessment by LCEA, a detailed hydrological and environmental assessment was conducted. The results of the studies showed that the electricity generation potential at the mill wheel is significantly constrained by the present tail race culvert, fish protection water flow requirements, flood protection and the design of the original wheel. There is also some concern expressed about the need to protect the general public if a working turbine was installed. The annual electricity generation capacity under present conditions would be approximately 26,286 kWh per annum with a value under the Renewable Energy Feed In Tariff scheme of €2,203. The cost of civil, mechanical, electrical and grid connections associated with a turbine at the site, including measures to protect the public are estimated to be in excess of €60,000, making a “commercial” project unviable.

A proposal to generate a small quantity of electricity (less than 1.5 kW) to power lights, a display and possibly some monitoring equipment is being considered at present. The environmental & hydrological data on river height and flows etc. will be made available to local schools and third level institutions.

G. Dollard advised that the financial analysis shows that it would not make sense to use public money for the return envisaged. Clare Co Council is however open to proposals from the private sector. He added that the Mill Wheel Project, which is due to be completed by the end of November 2015, is a flagship project for the Ennis Civic Trust Ltd and Clare Co Council and will be a significant addition to the heritage of the town especially as it is located close to the green way cycle route.

Notice of Motion submitted by Cllr. Cllr T. Mc Namara was seconded by Cllr. C. Colleran Molloy.

I call on the Senior Executive Engineer of the Ennis Municipal District to immediately address the on - going flooding problems in the Cappahard area of the Tulla Road as this could be rectified as part of the current road opening works that are taking place in this area.

Eamon O’Dea, Senior Executive Engineer, replied as follows:

After the flooding in November 2009 the Council’s Water Services Section carried out a detailed inspection of the storm water network in this area and removed obstructions and repaired damage to the storm drain caused by contractors constructing water mains and ducting for the adjacent housing scheme. The council constructed a long term temporary pumping station in Castlerock to assist the discharge of storm water during heavy rainfall and high river levels. This pumping station is monitored when the lower Fergus River levels are high.

The long term solution to the problem is to replace certain sections of the storm drainage network with larger pipes. The means of seeking funding for Storm Water Drainage is being clarified with the Department of Transport and Department of Environment.

The Council is presently responding to correspondence from the Minister of Environment, Community and Local Government on this matter.

Notice of Motion submitted by Cllr. A. Norton was seconded by Cllr. M. Howard.

Can Clare County Council provide an update on new road markings on the Laureen- Lahinch Road and the Mill Road and Golf Links Road Intersections?

Ann Cronin,Senior Executive Engineer,Road Design Office,replied as follows:

In relation to the West Clare Railway Greenway, Phase 1, Contract 1 works ,please note that road lining is complete on the Cloughleigh Road section of Contract 1 near its intersection with the Lahinch Rd.

Work to complete road lining took place on 1st October 2015, at the junction of R474 Circular Rd with the R458.

Notice of Motion submitted by Cllr. P. Daly was seconded by Cllr. A. Norton

I request Ennis Municipal District to consider the instalment of traffic calming measures on the Showground’s Road from the entrance to Ennis Rugby Club to the junction that meets Cahercalla Road

Eamon O’Dea, Senior Executive Engineer, replied as follows:

The council carried out a 24 hour survey and the 85th percentile for all vehicles is 56km/h, 6km/h above the posted speed limit and the average speed of all vehicles registered was 46km/h. The max speed posted was 91km/h by a vehicle travelling towards the town on 13.19 on Monday. The daily traffic count was 1744 vehicles over the 24 hour period.

The council has forwarded the details of the petition and the speed survey to the Traffic Corp of the Gardai . The council will install additional signs on this section of road and examine the feasibility of providing traffic calming at this location.

Notice of Motion submitted by Cllr M. Howard was seconded by Cllr. A. Norton

That Ennis Municipal District provide for directional signs for Kilraightis Cemetery

Eamon O’Dea, Senior Executive Engineer, replied as follows:

The council has provided a sign at the junction of the L8122 Ballyogan Road on the access road from the M18 and on the L8122 Ballyogan Road adjacent to the Graveyard as requested by the Councillors.

Notice of Motion submitted by Cllr P. Murphy was seconded by Cllr. M. Howard

I am requesting that the roads departments erect "Concealed Entrance" signage as motorists approach the turn-in to Lower Manus (Manusmore), Clarecastle. Also that appropriate speed calming signage and "Children at Play" signage is erected on this cul-de-sac road

Eamon O'Dea, Senior Executive Engineer, replied as follows:

There are two large traffic calming signs on the approach from Latoon, one large traffic calming sign on the approach from Clarecastle and line marking for a turning bay on the approach to and at the junction of the Manusmore Road and the R458 (old N18) Clarecastle to Latoon Road. The council will erect a children at play sign or pedestrian sign on the Manusmore Road. The existing concealed entrance sign on the approach from Latoon will be replaced with "another hazard sign" as per the Traffic Signs Manual.

Notice of Motion submitted by Cllr. J. Breen was seconded by Cllr. M. Howard.

Has there been a traffic survey carried out at the Drumcliff Cross, Gort Rd, and Shanaway Rd Cross in response to notice of motion submitted to me some months ago

Eamon O'Dea, Senior Executive Engineer, replied as follows:

The Road Design Section and the Municipal District of Ennis Office met the TII Road Safety Engineer and outlined our concerns regarding the N85 Lahinch Road from the Claueren Roundabout to the speed limit at Loughville. The TII would look favourably on a traffic calming scheme for this area and the Council would include the Cusack Road from Cloughleigh Road to the Claueren Roundabout in the same scheme. The Road Design Section anticipates that work will commence on the evaluation and preliminary design in 2016 for submission to the TII and this will include traffic surveys.

Notice of Motion submitted by Cllr. J. Flynn was seconded by Cllr. M. Howard.

That Ennis Municipal District would provide support to the development of the "Transition Town" model for Ennis in order to assist in achieving the aim of Ennis becoming a more sustainable Low Carbon Town in general but also to assist in particular in a) the areas of greater sustainability in leisure facilities cultural facilities ,transport/cycle ways, and commercial buildings ; b) raise awareness and empowerment of communities on energy issues and c) in the "greening" of the various sustainability impacts (waste , transport , water ,etc) on Ennis of the upcoming 2016 Fleadh Cheoil na hÉireann

Pat Stephens, Limerick Clare Energy Agency, replied as follows:

The objective of creating a low carbon society / economy is clearly stated in the Clare County Development Plan and the aim to create Ennis as a low-carbon town, can be further explored during the upcoming preparation of the Draft Clare County Development Plan 2017-2023. In particular;

1. The LCEA is working with various groups in the retail, tourism and leisure areas on energy efficiency and renewable energy projects, targeted at reducing the carbon foot print of doing business. There has been some success working with businesses on resource management projects and grants have been secured for further improvements to Ennis Leisure Center. LCEA work with business and commercial groups will increase over 2016.
2. The LCEA has worked on significant community energy projects since 2006. The agency will shortly launch a new awareness campaign targeted on home heating, transport, and community energy empowerment. The agency is available and willing to work with community leaders on a wide range of issues.
3. The "Greening" of various environmental impacts of the upcoming 2016 Fleadh Cheoil na hÉireann is being discussed by management of Clare County Council. Further plans / discussion will take place when the Green Fleadh Committee is established".

Notice of Motion submitted by Cllr. T. Mc Namara

I call on this Clare County Council to deal with the ongoing problem of illegal disposal of household waste along the roadsides in the Ennis Municipal District and put a road sweeping programme in place to collect roadside rubbish once same has been reported to the district office.

Paul Moroney, Senior Engineer, Environment, replied as follows:

The Environment section is looking after the waste enforcement issues in this Notice of Motion.

We are aware of a number of such instances where household waste has been illegally dumped on roads in the vicinity of Ennis. We log all such reports on our environmental complaints CRM system. In due course each complaint is investigated and followed up. In some instances there is information in the waste which can lead to a litter fine and or a prosecution under the waste management acts. This is not always the case however.

In certain cases the rubbish is then cleaned up by the environmental patrol wardens. However in cases where the volume is large or where traffic management is required to carry out the clean up then we refer the clean up to the Ennis area office who then clean up the rubbish.

Due to the nature of this dumping this is a problematic area for us. In particular some of the areas where waste is being dumped can pose a significant health and safety hazard to our staff.

We implement a number of enforcement techniques to cover these illegal activities. This includes checking compliance with waste collection bye laws, routine inspections of problem areas, video surveillance both overt and covert, out of hours patrols, complaint investigation and surveys.

We would encourage all citizens to manage their waste appropriately in accordance with legislation. It is the responsibility of the polluter to pay the cost of the waste disposal for the waste that they generate. There are a number of ways that waste can be appropriately disposed of in the Ennis area. Illegal dumping is unsightly and dangerous; it is also an offence that can lead to significant fines and prison sentences.

Eamon O'Dea, Senior Executive Engineer, replied as follows:

The council had a road sweeper that was operated in rotation by different Municipal Districts and based at Beechpark. There was a structured sweeping schedule in the environs of Ennis and in the Villages within the District. Due to constraints on resources a driver is not available during the busy roadworks period to operate the sweeper and the work crews within the Municipal District are not in a position to provide a temporary operator without compromising their work schedules. This matter has been raised with the Senior Engineer and the Machinery Yard.

A general discussion took place in relation to illegal dumping. Members were disgusted by the amount of illegal dumping that occurs. With all the good work that is being done by volunteers and tidy towns and tidy village committees this practice of illegal dumping will result in the loss of volunteers if this continues. A full and concise debate is required on this matter in conjunction with our Environment Department. Members felt that Clare should take a lead on this issue. CCTV should be considered as an option to deal with this widespread problem. Members felt that the perpetrators should be named and shamed.

G. Dollard informed the meeting that this is a community problem and that there are certain restrictions on the Council through Data Protection. The Environment section is already doing a lot but with little evidence available it is difficult to prosecute. Members would welcome any action to help deal with this problem and mobile CCTV should be looked at as an option.

Notice of Motion submitted by Cllr. A. Norton was seconded by Cllr. J. Breen

Can Clare County Council carry out a road survey on the Ballyogan road, from the entrance to Kilraghtis graveyard Barefield to Drumgloon in relation to settling surface water which is creating

potholes and forcing pedestrians to the middle of the road with a view to road resurfacing, and conduct a survey of the bridge at Drumgloon and the bridge at Cloonkerry as both bridges have walls in urgent need of repair.

Eamon O'Dea, Senior Executive Engineer, replied as follows:-

The open drain that crosses under the Ballyogan Road has recently been cleaned by the landowners and the Council has cleared the headwalls at the two culverts and provided additional capacity at Cloonkerry. This will greatly assist the surface water flow on the road. The Council is examining this section of the road for inclusion in the road works programme in 2016 or 2017.

Notice of Motion submitted by Cllr. P. Daly was seconded by Cllr. J. Breen.

I call on the Municipal District of Ennis to review the cycle lane at Cloughleigh Road (New One Way System) with a view to restoring a two way traffic system by acquiring some of the two derelict houses adjoining the cycle lane on the left hand side adjacent to the Claureen Junction/ Cusack Road on the Lahinch Road

Ann Cronin, Senior Executive Engineer, Road Design, replied as follows:

Contact had previously been made by the Road Design Office with the owners of two properties on Cloughleigh Road and meetings have been held. A letter has issued to Corporate Services advising that portions of the properties would be needed to provide a footpath/cyclepath adjacent to the road. In the long term it is the proposal of the Road Design Office to provide a full width off road facility in that vicinity and to have two-way traffic on that section.

Cloughleigh Road, however, has many residences accessing directly onto it and it also provides access to a large number of residences. It is highly desirable from a traffic management viewpoint that it is not used as a through route for traffic accessing the centre of Ennis but rather serve the local population. Traffic calming measures have been in place there for some time. It is anticipated that the walking and cycling route will in time reduce the numbers of vehicles on the road.

Monica Meehan, Senior Executive Officer, replied as follows:

Both properties are privately owned with only one of these properties listed on the derelict sites register. The Design Office has been in contact with both owners and the Housing Directorate is considering proposals for these sites in conjunction with the Design Office.

Notice of Motion submitted by Cllr. M. Howard was seconded by Cllr. P. Murphy

That Ennis Municipal District consider providing a domestic waste for landfill compactor at a convenient location ie Gort Road Recycling Centre.

Paul Moroney, Senior Engineer, Environment, replied as follows:

A change to the current authorization would be required. Ennis Recycling Centre currently operates under a Certificate of Registration (CoR) which was granted under the Waste Management (Permit) Regulations 1998. If Clare County Council were to accept wet waste at the facility, this would be considered a significant revision to the CoR. Such a significant revision would require a review of the existing CoR. Any review or new application would be assessed under the more recent Waste Management (Facility Permit and Registration) Regulations 2008 as amended. Compliance conditions attached to these Certificates of Registration, under the 2008 regulations, tend to be more onerous than the older 1998 Regulations. This will attract significant extra costs and require additional resourcing.

Clare County Council currently provides wet waste facilities at the Central Waste Management Facility, Scarriff and Lisdeen. It is also a stated policy of the regional waste management plan that the preferred method for household waste management is via a source segregated kerbside collection by an authorized waste collector. Such facilities are in place in the town of Ennis by a number of such collectors.

There are also additional obligations under the European Union (Household Food Waste and Bio-waste) Regulations 2013 that must be complied with. If wet waste is accepted then a food waste recycling service must also be provided. This in itself can be problematic in that issues such as vermin control and odour issues will need to be addressed, again attracting additional operating costs.

The recently introduced Amendments to the Waste Management (Facility Permit and Registration) Regulations 2015 will mean that any facility accepting residual household waste must operate on a pay-by-weight basis. A minimum charge per kilo will be set by the Department, proof of which must be provided to demonstrate a householder is managing their waste by using this service; this will require a customer charter to be put in place. This will require weighing systems and Information technology systems to be installed in these facilities. Again this will attract additional costs to ensure compliance. At present such facilities are not required at our Ennis recycling centre as we do not collect wet waste there.

The provision of this additional service is likely to generate additional traffic to a site that is already located in a busy industrial estate. Furthermore, additional traffic moving in and around the facility will increase Health & Safety issues. The site itself is quite congested with little additional room available. Wet waste compactors by their very nature are large, cumbersome units that require a sizeable footprint to operate and manage correctly. In addition they will require additional power to operate.

On the basis of the points raised above, we have some serious issues to address and resolve if such a facility were to be implemented. We are therefore reviewing the operation of the facility to see whether such a service can be rolled out. That review is ongoing and has not concluded.

Notice of Motion submitted by Cllr. P. Murphy was seconded by Cllr. J. Flynn

Considering that the Lower Ballybeg Sewerage Scheme has been completed, I am requesting the overlaying of the remainder of the Ballybeg Road to include the Ballybeg Estate (cul de sac adjacent to Ballybeg stream).

Eamon O'Dea, Senior Executive Engineer, replied as follows:-

The Council has surfaced the remaining section of the Ballybeg Road last week and carried out a repair to the Kildysart Road between the Clare Road and Ballybeg Cross. The Ballybeg Estate cul de sac will not be surfaced this year as there is no funding available for this work.

Notice of Motion submitted by Cllr. J. Breen was seconded by Cllr. T. McNamara.

That repairs be carried out in front of Sean Halpin's house at Spencilhill in order to eliminate flooding.

Eamon O'Dea, Senior Executive Engineer, replied as follows:-

The flooding has occurred due to settlement of the road and entrance area following the construction of the group scheme water main on that side of the road. The Council intends to provide road drainage at this location to eliminate the ponding of water at this location. It is anticipated that works will be carried out in the next 6 to 8 weeks.

Item No 9 Correspondence

- Letter received from Aldi, unable to sponsor Christmas lights for Francis Street
- Letter received from Tesco, not committing to sponsoring Christmas lights but to consider same in their budget for 2016.

Item Number 10. Any Other Business

- A Notice of Motion, signed by all 8 members of the Municipal District of Ennis and unanimously agreed by Cllr. J. Flynn, Cllr. T. McNamara, Cllr. C. Colleran Molloy, Cllr. P. Murphy, Cllr. M. Howard, Cllr. A. Norton, Cllr. J. Breen and Cllr. P. Daly, that a letter should issue as follows:-

“To the Minister for Transport - that the members of Ennis Municipal District request that Dublin coach service from Ennis to Dublin via Limerick City be allowed under their licence to drop and collect passengers at Arthur’s Quay, Limerick, at all times particularly at morning and evening peak times.”

- Members wished to congratulate all involved in the recent success of Ennis in the Tidy Towns Awards.
- Members queried the issue of 6 month Casual Trading licences in Ennis instead of the normal 12 month licence. G. Dollard informed members that everything that is being done is to enhance the town and with Fleadh Cheoil na hÉireann 2016 and the construction of the new €1.75m facility at Garraunakilla, it is anticipated that there will be an overall improvement to the town afterwards.
- CEDRA – All 3 projects that were submitted under the CEDRA Scheme are receiving grants which must be specific to the economic renewal of the towns involved i.e. Scarriff, Shannon and Ennis.

The meeting then concluded.