

## **Minutes of the Municipal District of Ennis Committee Meeting held at 3.30pm on Tuesday, 5<sup>th</sup> January 2016, 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 December 2015 monthly meeting held on the 1<sup>st</sup> of December, 2015.**

It was proposed by Cllr. J. Breen and seconded by Cllr. A. Norton that the Minutes of the December 2015 monthly meeting, held on the 1<sup>st</sup> of December, 2015, as circulated, be agreed and adopted.

### **Item No. 2. Presentation – Local Enterprise Office – Padraic McElwee.**

Padraic McElwee of the Local Enterprise Office gave a presentation on the works and operations of the Local Enterprise Office which outlined all the supports available through LEO. This included financial supports as well as training, mentoring and promoting an Enterprise Culture. Achievements during 2015 included the following:-

- 17 Enterprises grant aided
- 355 Participants at training courses
- 88 Enterprises Mentored
- 11 Microfinance Approvals
- 4th Highest County for job creation (202 jobs created across 161 enterprises)

In advance of the Fleadh 2016, it is planned to hold an information evening on the 2<sup>nd</sup> of February, 2016, in relation to Regulatory requirements for all food outlets.

Members congratulated Padraic on his very informative presentation and welcomed the work done by LEO over that last year or so. There has been very positive feedback from LEO and the key objective is to get people back to work in County Clare. Members invited Padraic to speak at a full County Council monthly meeting and this was agreed.

### **Item No. 3. General Municipal Allocation 2016.**

This item was deferred to the February meeting.

## **Item No. 4. Notices of Motion**

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

That Clare County Council looks into providing a wheelchair friendly swing at the playground in Tim Smyth Park to make the play area more inclusive for all.

#### ***Tim Forde, General Manager, Active Ennis replied as follows.***

Clare County Council, when developing the Active Ennis Tim Smyth Park, installed a 'universal (pod) chair' in the children's playground swing area which is suitable for able and disabled use.

We have researched the Wheelchair Swing and the estimated cost of installing such a swing is approximately €2,000 – €2,500 to include site works.

A key issue relates to the overall management of the unit and the necessity to have available a certified trained person to operate the facility. In practice, the unit would be in lock-down mode unless such a person is available to operate the swing for patrons wishing to avail of it.

If funding is made available for the provision of a wheelchair friendly swing we will further research if practical operational arrangements can be put in place which would provide the necessary service to our users that is manageable, safe and inclusive.

G. Dollard confirmed that the cost is not the key issue in relation to this matter, and agreed that it is important that everyone can avail of the facility. He stated that the management of this particular piece of equipment is the main issue and suggested that the matter would be discussed further to agree same.

### **Notice of Motion submitted by Cllr C. Colleran Molloy was seconded by Cllr. J.Flynn.**

To address safety concerns, I seek the installation of two green reflector poles to indicate the entrance to the "Mine Road" located on the left from the main Doora Road to Lynch's Cross.

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

The Municipal District Office will provide reflective poles at this Junction.

### **Notice of Motion submitted by Cllr J. Flynn was seconded by Cllr. A. Norton.**

Roundabout at Oakleigh Wood/Cappahard Junction is a road safety black spot and the long promised, by Clare County Council, construction of the roundabout serving 225 houses needs to be 2016 roads priority No 1 for Ennis Municipal Council as well as Clare County Council as it forms a crucial part of the R352. Ennis Municipal District Committee request that funding to be allocated to this roundabout forthwith in Clare County Council Roads Program 2016 in order to enable commencement of construction by June 2016.

#### ***Tom Tiernan, Senior Engineer, replied as follows:***

I have raised the issue twice with the Dept within the past couple of months. My representations have been acknowledged by them and I have been advised that they cannot give any indication now re whether the project will be funded in 2016. DTTaS allocations for 2016 are expected to be confirmed around the end of January. Notwithstanding the fact that the Cappahard Roundabout has been included among Low Cost Safety proposals, separated stand alone submissions have been made to the Dept on the issue to emphasise its urgency.

Representatives from the Tulla road residents were present in the public gallery. A general discussion took place on this matter.

Members felt very strongly about this issue. It was agreed that safety must be a priority for those living and access this location and this matter is ongoing for quite a number of years. Members strongly felt that this is a necessary piece of infrastructure and should also be used to fully develop the link from Ennis to the motorway via the Tulla Road. The also members felt that the Council should provide the much needed roundabout at the Oakleigh Wood/Cappahard Junction.

G. Dollard echoed the response from Tom Tiernan, Senior Engineer, and agreed that this issue has been discussed a number of times in the past by both the then Ennis Town Council and the members of the Municipal District of Ennis. He stated that development levies collected during developments on the Tulla road were mostly for a number of various public services in the area including recreational amenities and water services. He added that funding for this project will likely need a national allocation and that currently there is no allocation for the project. G Dollard stated that the funding for this project will be part of the discussion when finalising the Road Works Programme for 2016 by Clare Co Council.

Members called for a call of hands on this matter and all 8 members raised their hands in support of this Motion.

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

I am requesting that drainage problems in Greenlawn and Lissane, Clarecastle are investigated with a view to finding a solution as it appears that there may be a blockage in a culvert that leads to a bigger drain. During the recent heavy rains of December 5th and 12th there was a huge back-up that required the assistance of the Fire Service to keep the floodwaters out of the O'Connor family dwelling and that rendered a minor road impassable.

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

The Municipal District Office has inspected the location and is investigating the drainage layout which is in private lands. Power jetting and CCTV of the drains is being arranged by the Council and we will report on the findings of the investigation.

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

That traffic calming measures be introduced between the Maid of Erin and the Club Bridge.

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

There are no proposals at present for provision of Traffic Calming between Maid of Éireann and Club Bridge. There is a frequently used pedestrian crossing adjacent to the County Clinic that acts as a traffic calming measure. The Gael Choláiste is presently in preplanning discussions with the Council for the provision of a new school and this may include adjustment to the existing streetscape on St Anthony's Terrace.

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

Is the town engineer satisfied that Tobartaoscaín Road is correctly lit?

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

While the public lighting currently provided in the Tobairteascain area meets basic standard requirements it is likely that the area could benefit from better/improved lighting. The Municipal District of Ennis in conjunction with ESB will review same and obtain an estimate of the cost of any improvements.

**Notice of Motion submitted by Cllr. P. Daly was seconded by Cllr. P. Murphy.**

I request that Ennis Municipal District begin works on the culvert adjacent to St. Flannan's College, Tobertaoscain, Clare Road areas with a view to alleviating flooding in the future

***Tom Tiernan, Senior Engineer, replied as follows:-***

The Ennis South Flood Relief Scheme has the benefit of full planning approval and funding approval is awaited. The Scheme consists of the provision of a new culvert to facilitate the St Flannans/Tobertaoscain area, a new culvert to facilitate the Ballybeg area and an upgrading of the right river embankment downstream of Doora Bridge. Recently the OPW raised a technical query which is being dealt with and will be responded to within the first 2 weeks of 2016. I'm very hopeful that this will lead to approval to funding and that construction will get underway next year. We have been treating the project as urgent and are continuing to press for its delivery as soon as possible.

**Notice of Motion submitted by Cllr C. Collieran Molloy was seconded by Cllr. A. Norton.**

To address safety concerns, which are particularly acute from 8:15-9:00am and 3:00pm-4:00pm, that traffic calming, road narrowing, and cycle lane, be considered from St. Flannans to Eire Óg.

***Ann Cronin, SEE, Road Design Office, replied as follows:***

The Road Design Office is currently progressing three Active Travel Town schemes to Part 8 Planning Application stage. They are: Route 1 – Quin Rd – 2km, Route 2 Clareabbey to Ballymaley – 7km and Route 3 Tulla Rd to Gort Rd – 1km.

When completed Route 2 will provide enhanced facilities for cyclists along the R458 by providing advance stop boxes and approach cycle lanes at signalized junctions and roundabouts eg St Flannan's Roundabout. It is anticipated that these measures when implemented will encourage more people to cycle to work/school and will reduce traffic volumes at peak times.

We have not received notification of any competitions for funding for further schemes. Some years ago a traffic calming scheme was implemented on the section of road referred to in this NOM with measures such as buildouts and "Road Narrows" signage. A pedestrian crossing with associated buildouts was also installed. Therefore the Road Design Office would have to conduct a speed survey to establish if any further measures are necessary.

A general discussion took place in this regard and E. O'Dea confirmed that a speed survey will be carried out in advance of any works being done. Specific works must be undertaken in advance of the proposed cycleway.

**Notice of Motion submitted by Cllr P. Murphy was seconded by Cllr. P. Daly.**

That a review be carried out to ascertain if concerns that have been raised by parents of children attending Ennis National School can be addressed. These are regarding the safety of pupils going to and coming from school, suggested solutions are the realignment of the access road to Ennis National School in order to create a set-down area outside the school gates, and the removal of the grass verge and timber fencing at the side of the road so that there is room for cars to set-down.

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

The Municipal District Office will be meeting the Board of Management of Ennis National School in January to look at providing solutions to the dropping off and collection of children at Ennis National School at Ashline. It should be noted that the road referred to as the access road to Ennis National School is actually a distributor road for the development of all sites along the road and this includes the National School.

**Notice of Motion submitted by Cllr J. Breen was seconded by Cllr. J. Flynn.**

I am asking for an update on a motion of some months ago in relation to flooding on Cusack Road, Ennis and that all documentation in relation to this issue be made available to the elected members of this Council.

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

The Council has carried out land surveys of the location, investigated the existing foul and storm drainage. There is further survey work required in rear gardens of a number of properties and this is being arranged. The Council will be contacting the landowners to carry out site investigation along the line of the proposed embankment. A submission will then be forwarded to the OPW under the small flood schemes for the embankment element of the project. As the Cost Benefit Analysis for the embankment element under the small schemes would be marginal, the drainage element of the project will have to be sought from the Department of Environment or Transport.

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

That Ennis Municipal District Committee request that independent, facilitated meeting(s) of representatives of all stakeholders ( listed below) be urgently held this January to try to resolve the unrest created as a result of the adopted Ennis Commercial 2016 5.75% Rates increase . The stakeholders include; all 8 Ennis municipal district Councillors ; Ennis Chamber of Commerce & street/retail/business park associations , and Clare County & Ennis Municipal District council executive.

***Niall Barrett, Director of Services, replied as follows:***

The Municipal District Members will be aware that the Cathaoirleach of the County Council received a letter dated December 14<sup>th</sup> from the Ennis Chamber in relation to the rates increase applicable in 2016 and also addressing the Rates Payment Incentive Scheme and a number of other issues. The Council wishes to consider fully the contents of the letter and will revert when that consideration has been completed.

It is important to note, as outlined in response to another motion before the Municipal District meeting, that in line with the required statutory process and time periods applicable, the County Council members have already exercised the reserved function of setting the annual rate on valuation and base year adjustments that apply for 2016. The time for exercising these functions has now passed.

In addition, the budget most recently adopted by the Council applies for 2016. Issues relating to subsequent years will be dealt with in the budgets for 2017 and onwards.

It is also important to note that the Rates Payment Incentive Scheme applies to all properties in the county, albeit that the % rate and maximum amount of the grant that may apply is higher in the former town council areas than in the former county area. The rate of grant that applies is as follows:

Area	Rates Payment Incentive Grant (Occupied Properties)
Former Ennis Town Council Area	Lower of 5% of 2016 Rates Cost or €250
Former Kilrush Town Council Area	Lower of 6% of 2016 Rates Cost or €300
Former County Council Area	Lower of 3% of 2016 Rates Cost or €100

The scheme allows properties that are being paid by means of a payment plan that clears the balance outstanding by August 2016 to qualify.

It was agreed by members to discuss Notice of Motions no. 11 & 12 together. There were representatives from Ennis Chamber of Commerce and local businesses in the public gallery. A general discussion took place on the agreed Rates increase under harmonisation by Clare Co. Council.

Some members felt that there should be further discussion on the issue of rates and that the budget was adopted with too much haste. It was noted that a submission from Ennis Chamber of Commerce had been handed in at the December 2015 meeting of the full County Council. This submission which included 6 points has since been brought to the CPG for consideration and that a response will issue to the Chamber of Commerce.

It was noted that the issue of Rates increase is a matter for the members of the full County Council and that the rate is now adopted for 2016 and it cannot be reversed at this stage. This is a democratic process. The Budget was adopted by the full Council by a majority vote of 19 members to 9.

G. Dollard confirmed that any decision on rates is a matter for the full Council only. He added that decisions in relation to Rates is a statutory function and the democratic process has taken place for 2016. He added that The Valuation process is a different matter and this does need to be addressed. The Rate Payment Incentive Scheme is in place for 2016. G. Dollard confirmed that the Chief Executive had already issued a letter to Ennis Chamber of Commerce to facilitate discussions. This process will take its course and the submission will be addressed. He added that Clare Co. Council has no difficulty engaging in discussions with the Chamber of Commerce or other groups and that such discussions does not require facilitated meetings.

Members welcomed the response and the proposed discussions.

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

That the Ennis Municipal District Committee request Clare County Council to reverse the proposed rate increase.

***Niall Barrett, Director of Services, replied as follows:***

In line with the required statutory process and time periods applicable, the county council members have already exercised the reserved function of setting the annual rate on valuation and base year adjustments that apply for 2016. The time for exercising these functions has now passed.

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

I call on Ennis Municipal District to arrange and seek for additional parking in the town as presently as parking is at a premium and difficult for shoppers to get parking on a daily basis.

#### ***Ger Dollard, Director of Services, replied as follows:-***

The Council has been working on a number of initiatives to increase the number of off street car parking spaces available in Ennis. Planning permission was recently granted to the GAA for 180 no. spaces at the rear of the Cloister for use on match days. This permission is at present under appeal to An Bord Pleanála.

The site may also offer potential for future off street car parking for general use in the event that planning permission is granted for development of a car park for match day use. The Council has also been pursuing the acquisition of selected sites in the town centre area that may also offer opportunities for off street car parking.

A further initiative for additional off street car parking is also being examined by a private operator. You will recall that parking was discussed at a parking work shop held in September last. It was agreed in the short term that a joint approach between Clare County Council and the Business Community in conjunction with the multi-storey operators should be facilitated with a view to offering employee/employer parking within the town at an attractive rate and to get better usage from the existing spaces and make existing spaces more efficient.

The engagement with private operators has progressed and a series of meetings have been held with these operators and representatives of the business community. It is clear that the existing private sector parking is underutilised and a significant restructuring of the present parking byelaws may be required to optimize the use of parking availability.

### **Any Other Business.**

- Members sincerely thanked the Emergency Services and expressed their appreciation of the work done by Clare County Council staff during the recent floods.
- Members expressed disappointed with the recent findings of the IBAL report and with the rating given to Ennis which failed to recognise the 2015 Tidy Towns results and the extensive work being done by volunteers and local authority staff in Ennis. The members questioned the rating issued and the local knowledge of those carrying out the assessments and whether Ennis could be excluded from same. They also suggested that the assessors should link with the Ennis Tidy Towns Committee as part of the assessments. It was agreed to discuss this matter in the future.
- The weight restriction on Latoon Bridge, Manus, Clarecastle, was raised as an issue. It was noted that this matter is currently being progressed.
- Members welcomed the recent issuing of a licence by the National Transport Authority to Dublin Bus and the inclusion of Arthurs Quay in Limerick as an official bus stop as part of the route. It was noted that this positive outcome was as a result of lobbying from the members of the Municipal District of Ennis.

### **The meeting then concluded.**