

**Minutes of the Municipal District of Ennis Committee Meeting
held at 3.30pm on Tuesday May 3rd, 2016, in the Council
Chamber, Áras Contae an Chláir, Clare County Council, New
Road, Ennis, Co. Clare.**

Present:

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

Officials: Leonard Cleary, A/Director of Services, Eamon O'Dea, Senior Executive Engineer, Catherine O' Hara, Meetings Administrator & Fiona Whelan, Staff Officer.

Apologies: Cllr. T. McNamara

Item No. 1. Minutes of the April 2016 monthly meeting held on the 5th of April, 2016.

It was proposed by Cllr. P. Murphy and seconded by Cllr. A. Norton that the Minutes of the monthly meeting, held on the 5th of April, 2016, as circulated, be agreed and adopted.

Item No. 2. Agree Date for AGM 2016 for Municipal District of Ennis.

It was proposed by Cllr. P. Daly, seconded by Cllr. A. Norton to hold the 2016 AGM at 4pm on Tuesday the 7th of June, 2016.

It was also agreed by members to hold the June monthly meeting at the earlier time of 2pm on the same day.

Item No. 3. Draft Clare County Council Memorial Policy 2016.

Members welcomed and supported the Memorial Policy 2016 and agreed that only people with unique achievements should be considered by the Committee under this Policy.

This item was proposed by Cllr. J. Flynn, seconded by Cllr. A. Norton and agreed by members.

Item No. 4 Parking Bye Laws.

This item was deferred.

Item No. 5. Community & Arts Grants.

L. Cleary outlined applications under the Festivals & Events Budget for 2016 as follows:

Ennis Food Festival	€750.00
Tag Rugby Event	€500.00
Clare Annual Agricultural Show	€1,000.00

This item was proposed by Cllr. A. Norton, seconded by Cllr. P. Murphy and agreed by members.

Item No. 6. Notices of Motion.

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

"That the 100% refund applied to rates assessed on ratable unoccupied properties located with the Ennis Municipal district no longer apply".

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

"Removal of the current 100% Rates Refund as a "stick " to encourage landlords of vacant properties to be " good neighbours " by maintaining their properties to a high standard. That Ennis Municipal District Committee request the Council Executive to put in place a scheme to immediately stop the current 100% refund of commercial rates (annual payment from commercial properties to Clare County council to provide public services such as street cleaning, lighting , sewerage & water services) that is available to landlords, in the Ennis Municipal District, unless that vacant commercial property is kept up to a high standard of structural condition and external appearance."

Noeleen Fitzgerald, Financial Accountant, replied as follows to both Notices of Motion Number 1 & 2:

Currently in all areas of the county a 100% refund applies for properties that are unoccupied for the full year and satisfy the requirements of Section 14 of the Local Government Act 1946.

Section 31 of the Local Government Reform Act 2014 provided for a change to this rating law in relation to the refund of commercial rates on vacant properties. This section amended Section 14 of the Local Government Act 1946 by provided discretion to the elected members of the council to vary the level of rates refunds (the percentage) that apply in a local electoral area or areas The conditions to be met to allow a ratepayer to qualify for a refund are also set out in Section 14 of the Local Government Act 1946, however the amendment in

Section 31 of the Local Government Reform Act 2014 did not give the council power to amend those conditions.

The decision to amend the present 100% refund in place is a reserved function of the County Council.

Members discussed NOMs 1 & 2 together and agreed that the Council should work with the property owners on this matter. It was noted that it is not the intention of the Council to penalise anybody but to encourage property owners to be proactive in maintaining their buildings. It was noted that the refund of rates is linked to occupancy and not the condition of the building. The possibility of linking vacant properties with the condition of same will need to be revisited and will require agreement of Councillors at full Council meeting.

It was agreed that Parnell St would be the pilot for an audit which would include the following:-

- (a) List of vacant properties on Parnell St,
- (b) Establish ownership / occupiers of all premises on Parnell St,
- (c) Identify which properties are liable for commercial rates.

It was agreed to discuss the matter further when the information from the audit is available.

Cllr. P. Daly complimented Ms. Noreen Twomey Walsh on the organising the public meeting on Parnell Street.

3. Notice of Motion submitted by Cllr P. Murphy was seconded by Cllr. P. Murphy.

"I am requesting that the office of Ennis Municipal District writes to Bus Eireann and request them to commit to continue providing the daily Shannon-Clarecastle-Ennis and return schedule that currently exists. This is in part due to the 3.5ton weight restriction at Latoon Bridge, and in the event that this weight restriction is prolonged that the service provider considers providing alternative arrangements to pick up passengers between Latoon and Clarecastle."

No reply required.

Members supported this NOM and agreed that a letter should be written to Bus Eireann to clarify the situation.

Eamon O'Dea confirmed that there is specialised work involved in the investigations on Latoon Bridge which are continuing this week. It is hoped to have results from the investigations by the end of next week.

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

"I call on the Municipal District of Ennis to provide an update on the completion of the Northern Relief Road that links the Gort Road to the Tulla Road, Ennis."

Eamon O'Dea, S.E.E., Municipal District of Ennis, replied as follows:-

A planning application was submitted by Shannon Commercial Properties on 31st March 2016 for site development works comprising of a link road between the proposed Northern Inner Relief Road and existing services road in the IAPE and an extension to the existing services road within the site of the IAPE, including primary drainage, telecommunications and all other underground services, pedestrian paths, cycle lanes, street lighting and perimeter landscaping, all entered from the Northern Inner Relief Road between the N18 and the R352, with temporary access through the existing Our Ladies Hospital Site.

These works cover the link from the existing road constructed by CCC to provide a new access to the IAPE. On the undertaking of these works (on foot of any planning permission granted) the Council is ready to complete the works necessary at the junction with the main road at the Gort Road Business Park.

The Council will continue to work with Shannon Commercial Properties to finalise this new access to an important facility in Ennis.

With regard to the remainder of the Gort Rd/Tulla Rd NIRR link, the Eastern section through Oakleigh Woods has been constructed and will be enhanced later this year by the construction of a new roundabout at the Tulla Road end. The central section which will ultimately involve a crossing of the railway is not likely to be developed in the near future.

It was agreed that the Clare T.D's & Senator would be written to requesting that they would source and identify the appropriate funding to complete this project.

5. Notice of Motion submitted by Cllr C. Colleran Molloy was seconded by Cllr. J. Breen.

"To alleviate traffic congestion at St Flannan's College, that a parallel cut-out parking area for buses be installed alongside and west of the main entrance"

Eamon O'Dea, S.E.E., Municipal District of Ennis, replied as follows:-

The Municipal District Office will examine this location in more detail and contact St Flannan's College Board of Management. The proposal has merit however the provision of an additional bus parking bay at this location may impair the sight line of vehicles exiting the main gate.

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

"That Clare County Council actively engage with residents at Cluan Ard Kilmaley to develop a plan of action to deal with this unfinished estate in terms of the following;1) taking in charge of any portion of the estate up to an acceptable standard , 2) develop a snag list of shortcomings to deal with portions of estate not up to an acceptable standard of finish, and 3) put in place a plan to address items under 2). "

Bernadette Haugh, Administrative Officer Planning, replied as follows:-

Enforcement proceedings concluded on this development on 26th February 2016 where the case was struck out on the basis of an agreed Terms of Settlement with the Developer which included a financial contribution together with proceeds of the available bond to procedure the satisfactory completion of the development for Taking in Charge. Clare Co. Council has commenced the statutory process for Taking in Charge of Cluain Ard and Cluain Iseal, Kilmaley with the advert appearing in the Clare Champion week ending 29th April 2016.

Once the development has been passed by resolution of the members for Taking in Charge, Clare Co. Council will be arranging for priority works to be addressed within the development, subject to the funds available, including any works necessitated to the Waste Water Treatment Plant. I would suggest that the Residents Association prepare a submission on the issues of concern to them, at which time, such will be considered by Clare Co. Council as part of the overall resolution works in accordance with the conditions of the Planning Permission which will be subject to available resources.

The members welcomed the response and acknowledged the work done by Clare Co Council in resolving the issues involved.

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

"In relation to the ongoing lack of safe pedestrian passage from Rockmount Cross to the Kilrush Road roundabout I wish to be briefed on the current situation in relation to funding, the Part VIII planning process and the likely timescale for construction of same"

Eamon O'Dea, S.E.E., Municipal District of Ennis, replied as follows:-

Funding has been provided by TII for the provision of a pathway-cycleway from the Kilrush Road Roundabout to Rockmount Cross and a pedestrian crossing

adjacent to the Kilrush Road Roundabout on the N68. The Section 38 of the Roads Act 1994 public consultation process is under way and should be before the Municipal District Councillors at their June meeting for consideration. The tender documents and drawings are being prepared by the Road Design Section. The timeline for the works will be outlined at the June Municipal District of Ennis meeting.

Any Other Business.

- **Fleadh 2016**

Members queried if there was any intention of holding a briefing for all the business people in Ennis regarding the upcoming Fleadh. It was suggested that a combined briefing from Comhaltas, Clare County Council and Ennis Chamber of Commerce for all business' in Ennis should be arranged.

- **Right of way at rear of Our Lady's Hospital**

Members queried the blocking of a "right of way" to the rear of Our Ladys Hospital, Gort Road, Ennis. This is to be investigated by the Ennis area office.

- **Dublin Bus**

It was noted that it is the intention of Dublin Bus to apply for a licence for an Ennis Town Bus Service.

- **Sean Heaney**

E. O'Dea wished to acknowledge the sterling work of Sean Heaney on his recent retirement from the Municipal District of Ennis. Sean had served the town as a Water Services Supervisor and Caretaker and is a great loss to the Council. Members and officials wished him well on his retirement and acknowledged the great commitment he had given during his career.

- **Cllr. Tom McNamara**

Members and Officials wish Cllr. Tom McNamara well and a speedy recovery following his recent surgery.

Signed: Pat Daly
Mayor of Ennis

Signed: Siobhán O'Leary
Meetings Administrator

Date: 7/6/16