

Minutes of the Municipal District of Ennis Committee Meeting held at 10.30am on Friday February 3rd, 2017, in the Council Chamber, Áras Contae an Chláir, Clare County Council, New Road, Ennis, Co. Clare.

Present:

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

Officials: Ger Dollard, Director of Services, Eamon O'Dea, Senior Executive Engineer, Ann Reynolds, Administrative Officer and Fiona Whelan, Staff Officer.

Item No.1. Minutes of the January 2017 Monthly Meeting held on 6th January, 2017

Minutes of the Ennis Municipal District January 2017 monthly meeting were proposed by Cllr. P. Murphy, seconded by Cllr. T. McNamara and adopted by members.

Matters Arising

NOM No. 11 from the January 2017 meeting was further queried. E. O'Dea is monitoring the location and observing traffic coming from Barrack St. onto Upper Market St. Assessment will continue and the matter will be considered further if necessary.

Item No. 2. Budget 2017

G. Dollard, Director of Services, informed the meeting that the total budget for the Municipal District of Ennis for 2017 is in the amount of €274,400. Following discussions with members, the 2017 allocations were outlined as follows:-

MDE Festivals & Events	€100,000.00
Footpath Improvement Programme	€50,000.00
Ballyallia Project	€25,000.00
MDE Community & Arts Grants	€25,000.00
MDE Contributions Grant (as follows)	€22,500
Franciscan Friary	€1,000.00
St.Columbas	€1,000.00
St.Vincent de Paul	€1,000.00
Ennis Gospel Choir	€1,000.00
Ennis Brass Band	€2,500.00
Clare Roots Society	€3,000.00
Ennis Tidy Towns	€12,000.00
Ennis St. Johns Community Games	€1,000.00
Yet to Be Allocated	€51,900.00
TOTAL -ENNIS GMA Allocation 2017	€274,400.00

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

Members welcomed the various allocations and said it was important for the public to see where the LPT is being spent. In advance of any grant payments, each organisation must provide a full report on their project and receipts on how monies are spent. This is the Ennis allocation of the €1.5m gained County wide following the agreement by the full Council not to reduce the LPT by 15% as had been the case the previous year.

Item No. 3. Reschedule date for Car Parking Workshop.

On behalf of all members of the Municipal District of Ennis, the Mayor of Ennis, Cllr. A. Norton sympathised with Ger Dollard on the recent death of his mother Mary. Ger thanked everyone for their support following the passing of his mother.

Cllr. J. Breen proposed 9.30am on Monday 13th February, 2017, as the re-scheduled date for the Car Parking Workshop; this was seconded by Cllr. T. McNamara and agreed by members.

Item No. 4. S183 Disposal of Property - 14 St. Flannan's Terrace, Ennis.

This item was proposed by Cllr. J. Flynn, seconded by Cllr. C. Colleran Molloy and agreed by members.

Members welcomed the work done by the Council under the Derelict Sites Act in relation to this item. This has resulted in an increase in the housing stock in the town.

Item No. 5. Nomination to Rural Development Forum.

Cllr. P. Murphy proposed the nomination of Cllr. T. McNamara to the Rural Development Forum, this was seconded by Cllr. P. Daly and agreed by members.

Cllr. T. McNamara thanked his colleagues for the nomination and looks forward to working on the Forum. He hopes there is a strategy put in place to put life back into rural community.

Item No. 6. Notices of Motion.

No.1. NOM submitted by Cllr. J. Flynn, Cllr. M. Howard, Cllr. C. Colleran Molloy, Cllr. T. McNamara & Cllr. Pat Daly

That Ennis Municipal District call on Clare County Council to seriously consider purchasing lands currently for sale at Rocky Road Ennis for amenity purposes.

Gerard Dollard, Director of Service replied as follows:

The Council is aware of the recent offering for sale of lands at the Rocky Road. The Council is researching the lands for sale which are zoned 'buffer space' in the County Development Plan. Under the County Development Plan, buffer spaces are intended to provide a buffer of undeveloped land for the conservation of biodiversity, visual

amenity or green space. Buffer spaces may include natural features such as flood plains, riparian zones, turloughs, valuable biodiversity areas including designated sites, amenity areas, woodlands, hedgerows, green spaces and archaeological features.

A public right of way has been preserved in the recently adopted Clare County Development Plan. The inclusion of a public right of way in the Council Development Plan is based on evidence of such a right of way existing and in particular of its compliance with the specific requirements of Section 10 of the Planning and Development Act. A public right of way has been preserved over the lands offered for sale.

The purpose of these statutory measures is to protect aspects relating to the land for the benefit of the common good. At this point, the Council has no plans to acquire the property.

Members further discussed this Notice of Motion and the historical value of this area of ground. Amenities need to be developed further but not at any cost. G. Dollard confirmed that currently the Council has no plans to purchase the 17 acres for sale at the Rocky Road in Ennis and clarified that the 17 acres does not include a portion at the front on Clonroadmore which is under separate ownership. Members requested the Council to get an independent valuation on the lands and then consider bringing the matter to the full Council.

No.2. NOM submitted by Cllr. A. Norton was seconded by Cllr. J. Flynn
Can Clare County Council maintain the road up to Kilraghtis Graveyard Barefield Ennis.

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

The Kilraghtis Graveyard is under the control and management of Clare County Council and maintained by the local community. The access road used by those visiting the graveyard is in private property. As is the case in similar graveyards with access roads the Municipal District Office has assisted the local community in the maintenance of such access roads.

No.3. NOM submitted by Cllr. J Breen was seconded by Cllr. T. McNamara
I am asking for an update on the position of the re-alignment of the N85 at Kilnamona?

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

The Senior Engineer Transport Section will brief the Councillors before the March Municipal District Meeting on the proposed realignment works on the N85.

No.4. NOM submitted by Cllr. P. Murphy was seconded by Cllr. A. Norton

Following the recent grant of planning permission by Clare County Council to Maxol for the redevelopment of the existing Maxol Service Station at Clareabbey (p 16/764), I am now requesting that the development contributions generated from this development be ring-fenced and used to introduce more traffic calming measures at Clareabbey roundabout. Also, has there been any feedback from TII since the November meeting relating to this issue and others?

Brian McCarthy, Senior Planner replied as follows:

At the outset it should be noted that at the time of response to this Notice of Motion, the development mentioned (P16/764) - the subject to a decision to grant permission by Clare County Council - is still within the period within which an appeal can be lodged to An Bord Pleanála. Accordingly it is inappropriate to discuss the detail of the development or the contribution. Notwithstanding, in order to address the Notice of Motion, I wish to respond to the generality of the issues raised.

Section 48 of the Planning Act sets out the statutory provision for the preparation of a Development Contribution Scheme and the collection, spending and distribution of funds arising from it. The Planning Acts indicate that the monies collected are to provide for "*public infrastructure and facilities benefiting development in the area of the Planning Authority*". Moreover, development contributions can only be allocated to those projects listed in the contribution scheme as the level of contributions set out in the scheme are derived from the pre-determined capital costs. If a project is not specified in the scheme, monies arising from the contribution scheme cannot be spent to it.

Albeit I note and appreciate the sentiment of the Notice of Motion, essentially the Act indicates that there is no facility to restrict or ring-fence the collection and distribution of the monies arising from a specific development to be spent on a specific Roads or Amenity project.

Currently a Draft "Clare County Development Contribution Scheme 2017-2023" is on public consultation.

Tom Tiernan, A/Director of Service replied as follows:

There has not been any feedback to date from TII in relation to Clareabbey Roundabout. The TII has been reminded of the urgency of a response in relation to this.

Members further discussed this matter and queried if the use of rumble strips were a possibility in the interim while waiting on the T.I.I. Safety is paramount in this area and we need to put more pressure on the T.I.I. for action. A T.I.I. road safety engineer has attended on site on more than one occasion. E.O'Dea, SEE, will also write to the motorway maintenance contractor to highlight the issues brought forward by members.

No.5. NOM submitted by Cllr. J. Flynn was seconded by Cllr. A. Norton

I refer to previous requests I have made over the last decade on this issue and in light of the growth in traffic (over 15,000 equivalent vehicles a day) now using Tulla road resulting in long delays for cars exiting out of Corrovirion that the members of Ennis Municipal District Committee ask Clare county council to urgently provide an effective junction improvement at Corrovorrin/Tulla road junction.

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

The Council Area Office in conjunction with the Road Design Section drafted a new junction arrangement at the Tulla Road/Kevin Barry Avenue junction. The Council received funding and approval of the design from the Department of Transport Road Safety Engineer under the Low Cost Safety Scheme. When the proposed design was brought forward for public consultation By Ennis Town Council under Section 38 of the Road Traffic Act 1994 (Traffic Calming Works) the proposed layout was conflicting with an existing set down area on the Tulla Road. The proposal was withdrawn and the funding transferred to other Low Cost Safety work in the district.

It is likely that any design as required under present design standards will require removal/alteration of the existing set down area on the Tulla Road as there will be a conflict of movements into and out of the set down area with traffic movements on the Tulla Road/Kevin Barry Avenue Junction. The Council will raise this junction location at their next meeting with the Department of Transport Safety Engineer.

The new Cappahard Roundabout may assist the traffic flow at this location. The Council will do further traffic counts after the Cappahard Roundabout is in operation and consider putting some trial measures in place to slow the traffic entering Kevin Barry Avenue from the Tulla Road, which may reduce the queuing times for vehicles turning right from Kevin Barry Avenue.

Members supported this Notice of Motion which involves a very busy road. E. O'Dea, SEE, suggested using a method of slowing down traffic coming from Ennis and entering Corrovorin. There is a business in the area which needs to be considered so a temporary measure can be put in place initially.

No.6. NOM submitted by Cllr. M. Howard was seconded by Cllr. J. Flynn

An Sean Dun Housing Estate. I request updates on my previous motions - regarding the Part 8 process for the lane way connecting An Sean Dun with the Roslevan Shopping Centre. And an update regarding requested traffic calming measures within the estate

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

The Municipal District Office agreed to proceed with the Part 8 Planning Process for the pedestrian access in a previous notice of motion. This process has not been commenced as our available resources have been used for works where we have funding available. The Part 8 Planning Process drawings are completed however we do not have funding for the works. The Municipal District Office has drawings for a number of alternate traffic calming measures at an Sean Dun and these need to be discussed with the Residents Association.

No.7. NOM submitted by Cllr. C. Colleran Molloy was seconded by Cllr. J. Flynn
Further to serious "near-misses" Reported to me, that VMS signs be installed on the Quin Road R469 in both directions as it approaches the cross to Balloughboy L4118 to have drivers slow down

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

The Council will carry out traffic surveys at this location and examine the feasibility of providing additional advance warning signage on the Quin Road R469. The sightlines from the two minor roads at this location are good in three locations and some minor vegetation removal will improve the fourth location.

No.8. NOM submitted by Cllr. A. Norton was seconded by Cllr. T. McNamara

There is no pedestrian crossing or pelican crossing from Kilrush cross to Cahercalla Cross/ Coote's shop. There are countless estates with elderly and young people living there. It is almost impossible to cross the road on foot let alone get out of Cahercalla heights due to the speed cars travel in and out the road at. Is it possible for Clare County Council to put in a Pelican or pedestrian crossing.

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

The Municipal District Office will carry out speed surveys on this section of the Kilrush Road and see what mitigation measures may assist pedestrians in crossing the road. These proposals will be reviewed by the Road Design Section. There was a similar concern on Circular Road and the provision of interactive electronic speed signs has assisted at this location.

No.9. NOM submitted by Cllr. T. McNamara was seconded by Cllr. P. Murphy

As the 110KV cable laying contract from Slieve Callán to the power station on the Tulla Road enters its final stage I call on Clare County Council to carry out a full assessment of the damage that has been caused to the roads along the root of the cable laying and the damage caused to minor local roads that were used as diversion routs. With the assistance of the financial contribution from the wind farm developers it is vital that these roads are included in this years road works programme for repair and resurfacing.

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

The Municipal District of Ennis Office is in discussion with the MD West Office in regard to work to be carried out on public roads using Long Term Impact funding received in the Road Opening Licences from the Slieve Callan Windfarm cable laying works. In the Municipal District of Ennis the overlay works from Beechpark to Inch Bridge was funded in part from this long term impact funding. On the East side of Ennis there is still outstanding work on the Gaurus Road under the permanent restoration in the road opening licence. The MD of Ennis Office following agreement with the Senior Engineer Transport, propose to do work on the MD of Ennis Section of the Edenvale to Inch Bridge Road and between the school and the crossroads in Kilamley. Road surfacing works are proposed between Mc Laughlin Cross and

Gortnaganniv on the R474 Kilmaley Road. These works will be completed from funding received from the Slieve Callan Windfarm cable laying works.

Members suggested a report be done on the damage and impact to the roads in this area before the project is finalised to ensure compliance with an acceptable and permanent solution. E.O'Dea informed members that the bond lodged will only be returned to the contractor once standards are met on all re-instatements. Eamon is to outline what works are to be done at the March monthly meeting.

No.10. NOM submitted by Cllr. J Breen was seconded by Cllr. M. Howard

As Fleadh Ceoil na hEireann 2017 is only 6 months away, has a permanent solution been found regarding the bins in the laneways of Ennis?

Tom Tiernan, A/Director of Service, replied as follows:

Three location sites have been provisionally identified in Ennis to facilitate the removal of bins from the laneways. The proposed sites are located within Parnell Street car park, the Friary car park and lower Market Street car park. Preliminary layout plans which indicate likely capacity have been produced, and discussion has taken place in relation to planning and conservation issues. The next step is for the Environment Section and the Municipal District area office to agree the proposed layouts following which final layouts can be developed and agreed prior to quotations being sought. Consultation with local businesses is ongoing throughout the process and it is anticipated that the solution will be in place prior to commencement of Fleadh Cheoil na hEireann, 2017.

Members queried the delay in finding a resolution to this problem. G. Dollard confirmed that this is an issue that we would all like to resolve sooner rather than later. It does require individual solutions and individual discussions. Further progress will be made on the matter ahead of Fleadh 2017.

No.11. NOM submitted by Cllr. P. Murphy was seconded by Cllr. A. Norton

I am requesting that the grass margin (between the road and the footpath) from Ballybeg Cross to the Madden dwelling be removed in order to improve road safety for all.

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

The Municipal district office will examine this section of footpath. Any works at this location will be done in conjunction with the overflow culvert from Ballybeg Stream which is part of the Ennis South Flood Scheme. The Council intend to proceed to Tender Stage on this project in February/March 2017.

E.O'Dea also confirmed that reflectors can be installed to increase safety.

No.12. NOM submitted by Cllr. P. Daly was seconded by Cllr. T. McNamara

I request the Ennis MD to seek funding for the completion of the link road from the Gort Road to the Tulla Road, particularly with the roundabout at the Tulla Road now almost complete.

Tom Tiernan, A/Director of Service replied as follows:

The first step in terms of making the Gort Road/Tulla Road link (NIRR) become a reality is to complete the construction of the first section from the Gort to the point of access to the IAPE. I understand that Shannon Commercial Properties (SCP) proposes to connect the NIRR into the IAPE in the near future and Clare Co Council will be in a position to complete the presently incomplete section of the NIRR simultaneously. Once this is done, the case strengthens to incorporate the completion of the NIRR as a key infrastructural objective for Ennis - this would evolve in 2 stages:

- The provision of an upgraded junction (probably a roundabout) at the Gort Road end to incorporated amended access arrangements to the Gort Road Industrial Estate, and,
- The provision of a link across the railway from the aforementioned entrance to the IAPE to link up with the section of the NIRR already provided in the Oakleigh Woods area.

At the appropriate time, the Council will liaise with the DTTaS with a view to emphasising the need for the NIRR as a strategic link and the development of a funding programme to facilitate its development.

Members further raised the delay in any progress of this link road. It has become known as the "road to nowhere" and this is not acceptable.

G. Dollard confirmed that this is an objective of the Council and in time we will see the project done. There are other individual parts of the overall project yet to be completed and once these are in place the Council will ensure that it will be a "road to somewhere". Once a proper road structure is in place Phase 2 of the development could commence.

Item No. 7. Correspondence

The members were updated on letter of reply from David Franks, Chief Executive, Irish Rail, dated 23rd January, regarding the Galway to Limerick rail services, which advised as follows:

"a recent report in relation to the future of the Railways in Ireland has been published and the National Transport Authority is conducting a public consultation in regard to this report, which closed last week. All correspondence received will be considered following this review and I have passed a copy of your correspondence to the National Transport Authority for their information".

Any Other Business.

- Update on Flood Relief for lands at St. Flannan's College. E.O'Dea, SEE, expects that this will go to tender in the near future.
- Development works at Killone Waterworks/Group Scheme need to be investigated.
- Ballyalla footpaths require urgent repair.
- The maintenance of bushes and hedges need to be considered ahead of 1st March, 2017.

Signed: _____
Mayor of Ennis.

Signed: _____
Meetings Administrator

Date: _____