

**Minutes of the April 2018 Municipal District of Ennis Committee Meeting
held at 10.30am on Tuesday 10th April, 2018,
in the Council Chamber, Áras Contae an Chláir,
Clare County Council, New Road, Ennis, Co. Clare.**

Present:

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

Officials: Carmel Kirby, Director of Services, Eamon O’Dea, Senior Executive Engineer, Bernie Haugh, Meetings Administrator and Fiona Whelan, Staff Officer.

The Standing Orders of the meeting were suspended to allow a 15 minute presentation by Relay for Life, Ennis.

Item No. 1. Minutes of the March Meeting of the Municipal District of Ennis Committee held on 13th March, 2018.

The Minutes of the meeting were proposed by Cllr. A. Norton, seconded by Cllr. M. Howard and agreed by members.

Item No. 2. Proposal to initiate process of Taking in Charge section of road at Cappahard Lane, Roslevan, Ennis to be a public road for a distance of 280m from a point 250m from its junction with the Tulla Road R352 to a point 530m from its junction with the Tulla Road R352.

John Corry, Administrative Officer, Roads Dept, attended the meeting for this item and outlined the process involved therein. Public consultation would now be sought and one month given for submissions which will then be considered by the Council. It is expected that this matter will be back before members by the June meeting.

This item was proposed by Cllr. T. McNamara, seconded by Cllr. A. Norton and agreed by members.

Item No. 3. Notices of Motion.

No. 1. NOM submitted by Cllr. Ann Norton was seconded by Cllr. T. McNamara.

That Clare County Council and the Ennis Municipal District look at taking in charge the Defibrillators that are in areas across the town.

Noel Carmody, Civil Defence Officer, replied as follows:

In 2012 the Ennis Defibrillator Committee was formed consisting of representatives from Ennis Chamber, Clare Branch of the Irish Red Cross, local sports clubs, and individual members of the public and business people. The initiative led to the purchase and installation by the Committee of a number of defibrillators in Ennis. I am advised however that this committee is no longer in existence.

Defibrillators are a very useful resource to have in the town; however as with all such complex medical devices and equipment, it is imperative that a care and maintenance program is in place and servicing of the devices regularly undertaken.

It is respectfully suggested that this matter should be raised via the HSE West Health Forum to bring the matter to the HSE for its consideration as it is the most appropriate agency for assuming responsibility for the devices.

Members further discussed this Notice of Motion and voiced their serious concern that currently there is no one responsible for the defibrillators around Ennis. This is life saving equipment and something needs to be done as a matter of urgency. It was agreed that members would raise this issue at HSE West Forum level. It was also agreed that a meeting be arranged between the Red Cross (who were part of the original committee) and Civil Defence Officer to discuss this matter.

Carmel Kirby, Director of Services, welcomed member's submissions on this important matter and advised that the provision and maintenance of defibrillators is the responsibility of the HSE and agreed with the above approach.

No. 2. NOM submitted by Cllr. Mary Howard was seconded by Cllr. P. Daly.
May we have an update on progress regarding the West Clare Greenway Project.

Tom Tiernan, Senior Engineer, replied as follows:

One to one consultation has been ongoing with potentially impacted property owners and at this stage approximately 65% have been engaged with. The process of identification of the most appropriate route and associated deliberations with land owners is, by its nature, time consuming and will be followed by the preparation of a briefing document to facilitate liaison with the Department of Transport regarding a strategic approach to be adapted in relation to the development of the overall project – almost 50km of cycleway along the route (in so far as is feasible) of the West Clare Railway. Greater attention will be given to the project by the Project Management Office which is currently being established.

No. 3. NOM submitted by Cllr. James Breen was seconded by Cllr. J. Flynn.

That the road from St Flannan's College Roundabout to Tobartearcain be surface dressed.

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

The Ennis MD Office had listed this road for surface treatment over the past 3 years and has deferred this work as the main culvert for the Ennis South Flood Scheme will be constructed along this route. The road will be resurfaced as part of this project. Given the level of available road funding over the past number of years it would not have been prudent use of public funding to resurface a road and then carry out significant excavation works within 2 to 3 years.

Members requested that temporary works should be considered as this is a very busy link road. E. O'Dea confirmed that overhanging trees were affecting the patch works which had been carried out. He also confirmed that the landowners have since been requested to cut back the trees. This will help with both maintenance and public lighting in the area. E.

O'Dea will also revert with dates from the Road's Dept. on the upcoming flood relief scheme.

No. 4. NOM submitted by Cllr. Paul Murphy was seconded by Cllr. J. Flynn.

I am requesting a feasibility study be carried out to examine the potential of developing a walk/cycleway on the Fergus riverbank between Ennis and Clarecastle (with a long term possibility of extending in further stages along the estuary to Islandavanna). The potential of this can compliment the impending development of the Shannon Estuary Way, boost domestic visitor numbers in particular, and greatly enhance the attractiveness of Ennis as a visitor destination.

Leonard Cleary, Director of Service, replied as follows:

This proposed project supports the delivery of the tourism and recreation targets of the Clare Rural Development Strategy. It would also dovetail with tourism plans for this area of the county. The Council's Rural Development Directorate would be very interested in working with a locally-based community group on this very positive project for the area. The first step would be to carry out a feasibility study, as there are a number of state bodies who would need to input to the project as well as the local community.

There may be some imminent grant funding opportunities to be announced shortly by the National Government Department of Rural and Community Development. It would be important that the project is fully researched in order to be at a stage of readiness to compete for such grant opportunities. On a cross-directorate basis, the Rural Development Directorate will work closely with the Ennis Municipal District Office to progress this project.

This proposal was identified in and is consistent with the objectives in Clare County Development Plan 2017-2023 which proposes this link as part of a wider Green Infrastructure Plan for Ennis and is set out in Volume 3a of Ennis Municipal District Plan. The walk/cycleway referred to would be on top of the embankment which is to be constructed as part of the Ennis South Flood Relief Scheme over the next 2 years. I would have no objection in principle to same which would be a separate project to the Flood Relief Scheme.

Members welcomed this Notice of Motion and commended Clarecastle Development Group on their continued foresight on various initiatives. It is important that projects are shovel ready and Clarecastle continues to progress in these areas.

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

In light of significant public concern regarding road safety and both increased traffic volumes & speed at the Ballymachill Cross junction - I ask Clare County Council Road Design office to urgently carry out the necessary survey and design work for improved pedestrian and vehicular movement at Ballymachill Cross Roslevan in order to seek funding under National or Local roads budgets.

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

The Ennis MD office will request the Road Design Office to put this project on their work list.

Members emphasised the health and safety element relating to this Notice of Motion and agreed that this work needs to be prioritised. There is a significant increase in population in this area and the volume and speed of traffic is an issue. There are community facilities near this crossroads and it is also used as a short cut by many. The Shanaway Road junction is also an area that should be prioritised. The resources in the Road Design Office need to be considered to ensure progress in these areas.

Carmel Kirby, Director of Services, assured members the Road Design capacity would be such that projects like this can be advanced.

No. 6. NOM submitted by Cllr. Tom McNamara was seconded by Cllr. J. Flynn.

In light of the recent Taking in Charge of Cluain Ard/Cluain Iseal Kilmaley, I call on the Council to progress the landscaping of the public open spaces and the residents encouraged to form a Residents Association to organize the maintenance of the open space into the future. In the interim, until landscaping has been completed, I ask that the wild vegetation would be controlled during the summer months.

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

The Ennis MD will make arrangements for the control of the vegetation until the landscaping and drainage works are completed and the residents take over the maintenance of same. The Planning Section anticipates that works on the drainage and landscaping of the open space will commence as soon as weather permits.

No. 7. NOM submitted by Cllr. Clare Colleran Molloy was seconded by Cllr. A. Norton.

To address the public safety issue relating to parking by the general public on the road outside the John O’Sullivan Lees Road facility before the gates open, that options be explored to address this problem, such as moving the gate further in the road way to allow more options to park off the road; moving the gate further in the road way and creating a small parking area; or creating parking bays along the public road.

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

The footpath or grass margins on both sides of the entrance to John O’Sullivan Lees Road Sports and Amenity Park were provided to give appropriate visibility to traffic exiting the facility at Drumcliff Road. The Ennis MD office would not recommend any alteration in this area that would change the existing visibility lines.

I cannot see why there is a requirement to make provision for short term parking at this location as there is full pedestrian access from Ennis to the John O’Sullivan Lees Road Sports and Amenity Park on Drumcliff Road. Access for emergency vehicles should be maintained at all times at the entrance to the John O’Sullivan Lees Road Sports and Amenity Park.

Eamon O’Dea again confirmed that it is not advisable to change the entry alignment to this facility and that designated parking is available within 500 metres.

Members agreed that members of the public need to take responsibility for where they park and this should be enforced by An Garda Síochána to alleviate the concerns of the local residents in this area.

No. 8. NOM submitted by Cllr. Pat Daly was seconded by Cllr. J. Flynn.

I ask the Ennis MD to upgrade the Cloughleigh Road, particularly with the opening of the new school in the coming weeks.

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

This road is not listed for road surfacing work in 2018. The MD Office will examine the structure of the road and prepare a design and cost estimates for the surfacing work. A number of surface defects will be repaired on this section of Cloughleigh Road.

No. 9. NOM submitted by Cllr. Mary Howard was seconded by Cllr. P. Daly.

I wish to be updated on the report, if any on the provision of a compactor at our recycling centres. I have requested that EMD considers installing compactors on a number of occasions in the past.

John Leahy, Senior Engineer, replied as follows:

Ennis Civic Amenity Site is operated under a Certification of Registration license issued from the EPA. An application to the EPA to revise the existing license is currently being prepared by the Environmental Section to include for a Pay To Use (PTU) type system that will accept domestic waste at the Ennis Civic Amenity Site. The intention is for this to operate on a trial basis.

However the outcome of the application is not a foregone conclusion due to the following items;

The new application will be assessed under the new Waste Management (Facility Permit and Registration) Regulations 2008 as amended. Compliance conditions associated with the 2008 Regulations as amended tend to be far more onerous than the older 1998 Regulations, which the site is currently licensed under.

- Additional compliance will now be required under the European Union (Household Food Waste and Bio-waste) Regulations 2013. For instance a food waste recycling service must also be provided if domestic waste is to be accepted.
- Finally the recently introduced Amendments to the Waste Management (Facility Permit and Registration) Regulations 2015 will mean that any facility accepting domestic 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 also require a customer charter to be put in place. This will require weighing systems to be incorporated as part of the PTU system, details of which are not finalised.

It should be noted that Clare County Council currently provides domestic 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 authorised waste collector.

Members had a long discussion around illegal dumping and its effect on private landowners. Ballybeg Woods and Lees Road were highlighted as examples of affected areas. It is an ongoing issue and members felt there should be an obligation on homeowners to have proof of a waste collection service.

Carmel Kirby, Director of Services, agreed to look at arranging a workshop for the members around waste management

No. 10. NOM submitted by Cllr. James Breen was withdrawn.

In the interest of Health & Safety and in order to stop cars parking on the footpath outside the four business premises at Upper Turnpike Road, that the kerb be raised or the width of the footpath reduced.

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

I wish to be provided with a detailed report on how the Bridge remediation works are progressing at Latoon, are they on schedule and is there an anticipated date of conclusion? Also, that Bus Eireann are written to and called on again to commit to providing the No. 51 bus service through Clarecastle village at the conclusion of these works.

Tom Tiernan, Senior Engineer replied as follows:

The Latoon Creek bridge rehabilitation scheme is progressing well through a very intensive programme.

The following works have been completed by LMK:

The former bridge deck has been removed

Repairs to pier heads are complete

Repairs to abutments are complete

New 43 Tonne centre span beams are in place

New 13 Tonne north and south span beams are in place

Shuttering in place in preparation for deck and edge beam construction

The Traffic Management plans are being monitored. Works are on schedule to be completed at the end of May.

Correspondence initially issued from Ennis Municipal District to Bus Eireann on 2nd January 2018 regarding the re-commencement of the No. 51 Bus Service through Clarecastle on the completion of the works to Latoon Bridge. Further correspondence issued on 26th January 2018 to this effect. Contact has since been made with Bus Eireann who advised of a recent change of personnel over regional operations and a further letter has issued in this regard to the now appropriate contact. All stakeholders will be notified once the works to Latoon Bridge have been completed and the road is reopened to traffic.

No. 12. NOM submitted by Cllr. Johnny Flynn was seconded by Cllr. J. Breen.

I ask that urgent road strengthening resurfacing be carried out to address the current hazards, due to persistent pot holes, which are putting motorists and cyclists at risk of injury and loss due to damage whilst using Tobertescaïn road.

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

The Ennis MD Office had listed this road for surface treatment over the past 3 years and has deferred this work as the main culvert for the Ennis South Flood Scheme will be constructed along this route. The road will be resurfaced as part of this project. Given the level of available road funding over the past number of years it would not have been

prudent use of public funding to resurface a road and then carry out significant excavation works within 2 to 3 years.

No. 13. NOM submitted by Cllr. Pat Daly was seconded by Cllr. C. Colleran Molloy.

I request the Ennis MD to resurface the main Turnpike Road as presently parts of the road are in very poor condition.

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

This road is not listed for road surfacing work in 2018. The MD Office will examine the structure of the road and prepare a design and cost estimates for the surfacing work. A number of surface defects adjacent to the existing ramps will be repaired with larger patch areas.

No. 14. NOM submitted by Cllr. Clare Colleran Molloy was seconded by Cllr. A. Norton.

That the Ennis Municipal District Councillors be advised of progress made by the Council with regard to the February motion adopted at Ennis Municipal District to have the illegal encampment alongside the Kilrush Road removed.

Niall O’Keeffe, Administrative Officer, replied as follows:

There are 2 families in 3 caravans in unauthorised occupation of Clare County Council lands beside the flyover on the Kilrush Road. They are approved housing applicants on Clare County Council’s housing list and every effort is being made to find a housing solution to the issue. In the meantime the Council is in communication with the families to keep the site tidy and to avoid any disruption to the local community.

Members discussed this Notice of Motion at length. Members are disappointed that they have not seen any action by the Council on this matter despite the fact that it’s beside a busy road and the local community is being discommoded. It appears the Gardaí have not received an official complaint from the Council who own the land. Members wondered if a transient site is being considered. National assistance should be sought to give more powers to Local Authorities to deal with this issue.

Carmel Kirby, Director of Services, advised that she will meet with the Director for Social Development to see what plans are being considered and how the situation can be advanced.

Item No. 4. Correspondence

None

Item No. 5. Any Other Business

- *Members welcomed Carmel Kirby, Director of Services, to Clare County Council wishing her success in her new role and assured her of their full support.*
- *Members congratulated Ennis Actress Denise Gough who recently won her second Olivier Award.*

Signed: _____
Mayor of Ennis.

Signed: _____
Meetings Administrator.

Date: _____