

**Minutes of the April 2019 Meeting of the Municipal District of Ennis Committee,
held at 10.30am on Tuesday 9th April, 2019,
in the Council Chamber, Áras Contae an Chláir,
New Road, Ennis, Co. Clare**

Present:

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

Apologies: Cllr. Ann Norton.

Officials: Carmel Kirby, Director of Services, Leonore O'Neill, Senior Executive Officer, Eamon O'Dea, Senior Executive Engineer, Bernadette Haugh, Administrator, Eugene Crimmins, Staff Officer, Sinead Armstrong Lynch A/ASO and Lisa Shannon CO.

At the outset of the meeting, the Elected Members expressed messages of condolence for the late Laura Brennan (HPV vaccine advocate & Clare Person of the Year) and Siobhán Colleran (Sister-in-Law of the Mayor of the Ennis Municipal District), who sadly passed away recently.

The Elected Members welcomed the return to work of Eamon O'Dea,

The meeting was adjourned until 12:00 noon, to allow the Elected Members to attend the sod turning of the Ennis South Flood Relief Scheme at St. Flannan's College by Minister of State for the OPW and Flood Relief, Kevin Boxer Moran, TD.

Item No. 1. Minutes of the March 2019 Meeting of the Municipal District of Ennis Committee Meeting held on Tuesday 5th of March, 2019.

This item was proposed by Cllr. M. Howard, seconded by Cllr. T. McNamara and agreed by members.

Item No. 2. Matters Arising

Cllr. Breen welcomed the Director's commitment to the preparation of a feasibility study for the provision of a full time caretaker at Drumcliffe Graveyard.

Leonore O' Neill apologised for the Director's unavoidable absence from the remainder of the reconvened meeting arising from the Minister's visit. With regards to Drumcliffe she advised the members that grass cutting is on-going and the graves have been marked/mapped and it will be examined to see if this information can be made available online in the future. Clarification was given that consideration was being given to a full time caretaker for the planned new cemetery and that the option of sharing a caretaker between the two graveyards could be explored. Finally, the members were further advised that the caretaker can be contacted if members of the public have difficulty in locating graves.

Cllr. Flynn welcomed the recent site meeting which took place with the Principal of Knockanean School and acknowledged the work of the road design section to address the issues at this location. Cllr. Flynn also welcomed the recent work done in the area of Kincora Park & St. Senan's Road & further traffic calming proposals at this location. Cllr. Flynn requested that an update be provided on the Corrovorrin Junction at the May Meeting.

Cllr. Colleran Molloy referenced correspondence received from St. Anne's School regarding the right of way and noted the School's invitation to the Elected Members to visit the school. She requested the Executive to organise the visit to the school for the Elected Members. Leonore O'Neill committed to contacting the school to arrange same.

Cllr. Colleran Molly informed the Chamber that she had a petition signed by 332 residents of the Ballybeg road who were concerned about the dangerous condition of the road from the Watertower to the Kildysart Road. To this end she requested an update on the timeline for the completion of the road realignment/design survey.

Cllr. Howard sought an update on the design work at the Shanaway Road/Lahinch Road junction. The SEE advised that the preliminary survey work was completed and has been passed to the Road Design Team and that he will provide a further update & timeline on both Shanaway Road & Ballybeg Road at the May meeting.

Item No. 3. General Municipal Allocation: Community Projects Grant 2019

The Elected Members were presented with the a report outlining the following proposed allocations under the GMA of €199,400 for 2019 towards Festival & Events (€72,000) and Community Projects (€18,000)

- **Festival & Promotion Budget:**

Projects	Amount Granted
Festival & Events Co-ordinator	€ 20,000
St Patrick's Day & Christmas Event	€ 20,000
Clare Garden Festival	€ 1,500
Consairtín	€ 500
Clarecastle Show Society	€ 1,750
Fleadh Cheoil na Mumhan	€ 2,000
Co Clare Agricultural Show Society	€ 1,750
Ennis Players	€ 250
Ennis Chess Club	€ 500
Fleadh Cheoil an Chláir	€ 500
Ennis Halloween Festival	€ 2,000
Ennis Book Club Festival	€ 4,000
Ennis Food Festival	€ 1,500
Ring of Clare Cycle	€ 4,000
Promote Ennis	€ 5,000
NCCWN Clare Women's Network	€ 500
Ennis Trad Fest	€ 4,000
Seeking Vision	€ 250
Clare Cycle Safety Initiative	€ 1,000
Clarecastle Regatta	€ 1,000
Heart of Quin First Responders Group	€250
Relay for Life Ennis	€1,000
Total	€73,250 ¹

¹ As agreed by the Members the shortfall of €1,250 will be reallocated from their Specific Project Allocation for 2019.

- **Community Projects:**

Applicant Details	Amount granted
Ennis Tidy Towns	€ 5,300
Ennis Brass Band	€ 2,000
The Willow Counselling Centre	€ 500
Clarecastle Heritage & Wildlife Group	€ 300
Rape Crisis Midwest	€ 300
Clare Roots Society	€ 1,200
Purple Flag	€ 3,000
Clooney/Spencilhill Community Development Group (CDG)	€ 200
Banner Samba Band	€ 250
Inishowiacy Polish Folk Band	€ 250
Kilnamona Community Hall	€ 300
Ennis Gospel Choir	€ 1,000
Bushypark Addiction Treatment Centre	€ 500
Ballyea Parish Council	€ 500
Clarecastle Community Development Company	€ 300
Clarecare Springboard Project	€ 500
Total	€ 16,400 ²

² The members agreed to contribute €50 each from their Specific Project Allocation for 2019 to increase the provision under Community Projects to €18,400, balance of €2000 yet to be allocated by the Elected Members.

The above were put forward for the approval of the Members to enable the specific organisations and projects to be progressed.

This item was proposed by Cllr. M. Howard, seconded by Cllr. P. Daly and agreed by members.

Item No. 4. General Municipal Allocations Specific Projects

A report listing the Specific Projects proposed by the Elected Members of Ennis Municipal District for 2019 was circulated to the Members for agreement

Year	Councillors Specific Projects	Committed
2019	Active Retirement Ladies Club Kilnamona	€500
	Clare Ladies Cyclist Project - Bushy Park: Family Therapy	€1000
	Clare Youth Service (cookware for The Junction)	€500
	Clarecastle Show	€1000
	Community Projects reallocation	€400
	Construct a wall at the bungalows at Drumcliffe	€1158.75
	Eire Óg Community Gym	€2000
	Ennis Mental Health Association	€500
	Ennis West Men's Shed	€360

	Equipment Identifying Machine	€1080
	Festival & Promotion reallocation	€1250
	Inagh/Kilnamona Youth Club	€500
	Irish Dogs for the Disabled – Dermot Cosgrove 600km track across Iceland	€400
	Kilnamona Development Fund	€1000
	LIT Leadership Advocacy and Independent Living Course	€6000
	Local Improvement Scheme Ballybeg	€2000
	Sponsored Cycle Banner G.A.A. Club	€100
	Supplies & equipment for children’s play therapy – Willow Counselling	€500
	Traffic calming measures St Senan’s Road, Shannon Park, Kincora Park and The Crescent Ennis	€2570
	VMS sign at entry point Main St, Clarecastle	Awaiting costings

The report included 2 projects to which the members previously committed funding from their specific contributions. The committed funding has now been reallocated. In the case of No. 1, the funding has been reallocated by the member who first proposed the expenditure. The project will not now progress at this time.

In the case of no. 2, an alternative funding arrangement has been put in place to progress the initiative.

	Year	Councillors Specific Projects	Committed
1	2017	Earth Route Trail Plan – Revision Plan	€2000
2	2018	Property Marking retainer	€500

This item was proposed by Cllr. M. Howard, seconded by Cllr. P. Murphy and agreed by members.

Item No. 5. Proposed Taking in Charge of private road leading to Considine’s with entrance off the R352 at Clooney Church.

This item was proposed by Cllr. T. McNamara, seconded by Cllr. J. Flynn and agreed by members.

Item No. 6. Proposed Taking in Charge of Islandmcgrath

A report from Mr. Barry Conway, EE of Ennis MD was circulated to the Members advising that due to the current surface condition of the road, the number of properties/landholdings it serves, and the fact that Clare Co. Council have previously carried out maintenance at the location, the taking in charge of this road will not place any significant additional burden on Council finances.

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

Item No. 7. Notices of Motion

No. 1 NOM submitted by Cllr. J. Breen was seconded by Cllr. P. Daly

I am asking this Council what proposal they have to retain the 4 houses in Watery Road that are boarded up for the last 2 years.

Siobhan McNulty SEO, Housing replied as follows:

Clare County Council is awaiting approval from the Department of Housing Planning and Local Government prior to awarding the contract for the refurbishment of 3 of the 4 properties on Watery Road to address current housing need for Traveller specific accommodation in this area.

There was a discussion on this item by the Elected Members. The Elected Members welcomed the reply from the Housing SEO, noting that this location historically had proven problematic. Cllr. J. Flynn raised the issue that he understood that a previous statutory decision had been made by the former Ennis Town Council to return this area to an amenity area.

Leonore O'Neill committed to having the record of the Town Council Minutes checked to see if any decision had been agreed, and to check the legality of any such decision. She undertook to update the elected Members at the next meeting.

No. 2 NOM submitted by Cllr. M. Howard was seconded by Cllr. P. Murphy

I request Ennis MD replace the warning signs on L1098 - the road from Ballyalla Lake towards the Ruan Road.

Eamon O'Dea, SEE, replied as follows:

The Ennis MD Office will clean the existing warning signs for walkers and cyclists along the Ruan Road at Ballyalla and replace signs where they are required.

No. 3 NOM submitted by Cllr. A. Norton was proposed by Cllr T. McNamara & seconded by Cllr. J. Breen

Clare County Council look at repairing flood relief area outside the Auburn Lodge Hotel and adjacent housing as this floods every time there is heavy rain on the Gort Road, Ennis.

Eamon O'Dea, SEE, replied as follows:

The existing drainage network has been cleared of obstructions and should work more efficiently. The Ennis MD Office will be meeting the land owner adjacent to the location to discuss the provision of an overflow pipe from the existing soak away.

No. 4 NOM submitted by Cllr. P. Murphy was seconded by Cllr. C. Collieran Molloy

In regards Silvergrove estate I am asking that due consideration is given to the following requests;

- i) That a footpath be constructed from the Ballybeg road to both of the estate entrances.
- ii) That the junction at the Ballybeg road is appropriately marked with two "green" bollards in order to improve visibility of the turn-off at nighttime.
- iii) That the green area that was recently damaged is restored to an acceptable condition, having consideration for the fact that machinery may need future access.
- iv) That consideration is given to improving the main estate entrance, ie. knocking the existing damaged wall and erecting two piers.

Eamon O'Dea, SEE, replied as follows:

1. This will be examined by the Ennis MD Office in conjunction with other footpath works on the Ballybeg Road.
2. The Ennis MD Office will examine the suitability of using junction definition posts F902 as set out in section 4.10 of the Traffic Signs Manual. This may not be the most suitable method in a suburban area within the urban speed limits.
3. The Water Services Supervisor has confirmed that this area will be rectified after recent maintenance works.
4. A short section of the wall at the entrance to Silvergrove needs rebuilding following accidental damage.

No. 5 NOM submitted by Cllr. C. Collieran Molloy was seconded by Cllr. J. Flynn.

That Ennis Municipal District in conjunction with the Ennis Chamber support the Ennis retail effort to counter bullying with the innovative CALLCARA initiative.

There was broad support by the Elected Members for this initiative. The Members congratulated Gala & Tina Whelan on leading this initiative to provide a safe environment for the youth of the Town, if for any reason they were in fear. The members further requested that the newly appointed Chief Superintendent, Michael Gubbins would be extended an invitation to attend the next meeting of Ennis MD on May 14th.

No. 6 NOM submitted by Cllr. P. Daly, was seconded by Cllr. T Mc Namara. I call on Ennis Municipal District to upgrade the road between Knockanean School and the creamery at Moyreisk.

Eamon O'Dea, SEE, replied as follows:

The L8362-0 Knockanean to Ballyortia road is in the Restoration Improvement Grant Works this year with an allocation of €61,370.

No. 7 NOM submitted by Cllr. J. Flynn was seconded by Cllr. C. Colleran Molloy. *Cllr. Flynn requested to have NOM No. 13 submitted by him added to this motion for discussion.*

That Ennis Municipal District request the Chief Executive to continue to invest in 2019 in improving animal welfare facilities, in terms of increased outdoor run areas, at the Ennis Dog Shelter.

Marie O'Neill SSO, Environment, replied as follows:

Upgrade works were carried out to the Clare Dog Shelter in 2018, including new flooring, PVC windows, heating upgrade, and works to kennels including glass doors and new dog beds. Inside space was reconfigured to allow for a vet room and kitchenette upgrade, while hatches were built into the existing kennels to allow dogs easy access to outside space. In 2019, it is proposed to further develop the shelter through the provision on an exercise area, adjoining the upgraded dog shelter.

There was broad welcome by the Elected Members for the investment by Clare County Council in its own animal welfare facility over the past number of years. The Chair asked for a clarification of the roles and responsibilities of the various agencies for animal welfare in the County. Cllr. Flynn requested if it would be possible for Clare County Councils' Environment Section to co-ordinate a meeting between Clare Co. Council, the Department of Agriculture, various Clare voluntary welfare groups & all who are involved in animal welfare in the County.

Leonore O'Neill informed the Elected Members that Clare County Council had a role in the control of horses and dogs in the County. She outlined that the Department of Agriculture were the lead organisation for animal welfare in the County and had a strong presence in the county. Leonore committed to contacting the Environment Section to see if they could facilitate a meeting of the various stakeholders in animal welfare albeit, she again noted that the lead organisation, in terms of animal welfare, is the Department of Agriculture.

No. 8 NOM submitted by Cllr. J. Breen was seconded by Cllr. P. Daly

That the minor road coming from the holy well in Tullassa to the 4 houses be surfaced, location: Croaghaun, Kilnamona.

Eamon O'Dea, SEE, replied as follows:

The L-8313 at the road at the Holy Well at Tulassa was constructed under the LIS scheme a number of years ago. The present means of funding such roads is by means of the Community

Involvement Scheme (CIS). The 2019 CIS works are the second half of the 2018/2019 submitted schemes to the DTTAS and the road is not on the scheme. It may be the case that the road can be included in a supplementary list in case any of the proposed schemes do not proceed.

Members welcomed the reply of the SEE and requested that Ennis MD consider having some limited resurfacing done at this location. Eamon O'Dea advised that this could be considered if additional funding could be provided.

No. 9 NOM submitted by Cllr. M. Howard was seconded by Cllr. P. Murphy

The Rocky Road Roundabout on the N85.

Two issues have been brought to my attention.

1. The burnt out mobile home be removed and the site cleaned up of litter and household rubbish.

2. The lights at the pedestrian crossing have not been working for a number of weeks. This is a busy junction for both vehicular traffic and walkers and the lights need to be repaired.

Eamon O'Dea, SEE, replied as follows:

1. The burnt out mobile home is due to be removed during week commencing April 1st and the Ennis MD office has been in contact with the Environmental Section and clean up of the area will proceed after the removal of the mobile home.

2. The Ennis MD inspected the pedestrian lights and followed up with an inspection by a specialist company. Application was subsequently made to the TII and funding approved for the replacement of the set of pedestrian lights and control unit. The materials are ordered and delivery and installation is expected before the end of April.

This item was discussed at length by the Elected Members. They welcomed the reply from the SEE and were unanimous in welcoming the clean-up of the site by the Environment Section. The issue of the traffic lights was also raised.

Eamon O'Dea informed the members that the lights were the responsibility of TII who had been notified. He advised they would likely be repaired before the end of April.

Cllr. Daly asked for the purchase of the Rocky Road to be considered once again. Leonore O'Neill informed the Elected Members that at present that Clare County Council had to make a value for Money case for all acquisitions and that the inclusion of the Rocky Road in the 'Ennis 2040' plan might provide the best avenue for the future acquisition of the Rocky Road. Cllr. Colleran Molloy informed the Members that she sits on the steering committee for 'Ennis 2040' and that a draft of same should come before the Elected members for their consideration before being published. She further asked that the ultimate cost of the clean-up of the illegal encampment at Rocky Road be notified to the Elected Members.

Leonore O'Neill, SEO, confirmed that a draft of Ennis 2040 will be brought before the Elected Members, once available. She further advised that a final costing for the clean-up of the illegal encampment on the Rocky Road will be provided to the Members when it is available.

No. 10 NOM submitted by Cllr. P. Murphy was seconded by Cllr. P. Daly

Having previously called for required works to be carried out in order for Abbeycourt and Abbeyville to be taken in charge by Clare County Council (which concluded in November 2018), and for traffic calming measures i.e. rumble strips to be installed, I am requesting that a traffic calming scheme be implemented now that these estates are in charge of the council.

Eamon O’Dea, SEE, replied as follows:

Abbeyville – Abbeycourt have recently been taken in charge by Clare County Council. The Ennis MD Office is confirming with the Planning Section as to what, if any drainage/water works are required on the scheme and we will be acquiring the traffic data to confirm with the Road Design Section if a traffic calming scheme is appropriate at this location.

Cllr. Clare Colleran Molloy made reference to an overgrown pathway on the south side of the Abbeyville/Abbeycourt Estate which has been brought to her attention by residents and asked if this area could be addressed by the Ennis MD

No. 11 NOM submitted by Cllr. C. Colleran Molloy was seconded by Cllr. J. Flynn
That “SLOW” markings be placed on the road at Ballyhannon bend.

Eamon O’Dea, SEE, replied as follows:

Ennis MD Office will arrange provision of the SLOW marking when road marking contractor is in the District.

No. 12 NOM submitted by Cllr. P. Daly was seconded by Cllr. C. Colleran Molloy.

I ask Ennis Municipal District to upgrade the road in the cul-de-sac at Collins Park outside houses numbers 13 and 14.

Eamon O’Dea, SEE, replied as follows:

The road network within Collins Park in Ennis is in reasonable condition. The particular section referenced in the motion is a no through road serving a number of homes. The Ennis MD will monitor this section of the road for further deterioration and consideration in road maintenance works.

No. 13 NOM submitted by Cllr. J. Flynn was seconded by Cllr. C. Colleran Molloy

That Ennis Municipal District request the Chief Executive to work with the Irish Society for Prevention of Cruelty to Animals (ISPCA) to fill the void in having an Animal Welfare Officer in Clare due to the recent disbanding of Clare SPCA. CSPCA had carried of important animal welfare activities that complimented Clare County Council’s statutory work in Control of Dogs and Horses.

Marie O’Neill SSO, Environment, replied as follows:

The Council acknowledges the great work undertaken by the ISPCA and was disappointed to hear of the recent disbanding of the Clare branch of the SPCA. While the Clare branch of the SPCA is no longer in operation, the Council will continue to advise and support the work of the ISPCA in any way possible.

The Council is committed to animal welfare within the County. The role of the local authority relates largely to the implementation of the Control of Horses Act 1996, as amended and the Control of Dogs Act 1986, as amended. Hungry Horse Outside has responsibility, on behalf of the Council, for impounding stray or abandoned horses on public property. Hungry Horse Outside is committed to the proper welfare of all horses impounded and rehabilitate horses where necessary to allow for rehoming. The ISPCA will be aware that any complaints of ill-treatment, neglect or cruelty of horses should be reported to the Department of Agriculture, Food and the Marine. Funding from the Department of Agriculture, Food and the Marine is available to the ISPCA and other welfare organisations to assist in their work on animal welfare.

Midland Animal Care, on behalf of the Council, has responsibility for the provision of Dog Warden Services in Co. Clare and the operation of the Clare Dog Shelter. The Dog Shelter is managed to best practice in standards and procedures relating to animal welfare and adheres to animal welfare legislative requirements. Regular inspections by Council staff in relation to

animal health and welfare and the day to day care of dogs at the shelter takes place. The Council ensures that all appropriate veterinary care is provided for all dogs in the shelter and ensures that 24 hour emergency veterinary care is available when required. Dogs which are not rehomed directly from the Shelter are transferred to reputable animal charities.

Under the Animal Health and Welfare Act, the Department can appoint authorised Officers for the purpose of enforcing this Act. In May 2014, the Dept of Agriculture signed a SLA with the Minister for DAFM which allows ISPCA Inspectors to be authorised officers under the ANWA. Other authorised under the Act include DAFM officials, An Garda Siochana and Customs and Excise. Authorisation gives ISPCA Inspectors certain statutory powers including the power of entry on to land where they suspect an animal may be present, powers to seize animals that are suffering and the power to issue enforceable welfare improvement notices. ISPCA Inspectors now have the power of entry onto any land where they suspect a protected animal may be kept. There are exceptions to this. For example they are not authorised to enter a farm which keeps cows, sheep or goats for food production purposes or to inspect horses on such a farm. They can however enter a farm in relation to companion animals such as dogs.

The ISPCA do not have the power to prosecute. Any prosecutions would be taken by the Department with the ISPCA as witnesses. At present, there are six Department of Ag Veterinary Officers and one Senior Veterinary Officer in Clare.

To conclude, the Council will continue to engage with the ISPCA, the Department of Agriculture, Food and the Marine and other welfare/charity organisations to assist in their endeavours in preventing animal cruelty and promoting kindness to animals in the County.

See NOM No. 7 on discussion

AOB:

- *Cllr. Flynn noted that the old Mill Wheel was no longer working. He asked if there was a possibility that it could be returned to working order and possibly used to harness renewable energy for lights along the river or similar purpose.*
- *Cllr. Flynn commended the continued work being done by the Ennis MD in attending to trees around Ennis. He asked if further work could be done in the Fergus Park estate, with particular emphasis on the trees which are blocking the public lighting in the estate. Eamon O'Dea SEE advised that tree maintenance was progressing in an orderly fashion and that the Ennis MD spends €20,000-€30,000 annually on same. He credited this annual maintenance to very few tree falls in the recent storms, with the exception of one tree at St. Flannan's.*
- *Cllr. Flynn acknowledged the excellent work done by the Ennis MD at the four cross roads near Inch in addressing flooding and commended the solution put in place. He further welcomed the drainage work underway at Cloughleigh on the cycleway*
- *Cllr. Howard welcomed the works at Cloughleigh. She noted that while Tidy Towns were doing the spring clean at the Maid of Érin Lawn/Tennis Club area, they noted that shores are badly blocked with debris which requires cleaning together with the area at the back*

of the Tennis Club. She further noted broken glass near the benches and walkway in the patio area near the Maid of Eireann R/A

- *Cllr. Breen complimented the community efforts of the local people who cleaned up following the shameful dumping of bags of rubbish at the Kilmaley Roundabout.*
- *Cllr. Daly proposed that in recognition of her life and legacy that a commemorative plaque be erected in loving memory of the late Laura Brennan, noting her tremendous contribution to society. The Elected Members welcomed this proposal. Cllr. Colleran Molloy informed the Members that she sits on the Memorial Committee and that she would raise this at the next committee meeting.*
- *Cllr. Colleran Molloy raised the issue regarding the proposed Town Bus Service for Ennis, referencing the Acha Bhile Estate on the Lahinch Road & how beneficial such a service would be to those living here. She asked that John Leahy be requested to provide an update at the next meeting.*
- *Cllr. Flynn informed the members that he had allocated €500 from his GMA towards surface treatment works for footpaths at Ballyalia and requested a response to works at this location from the SEE. Eamon O'Dea replied that the footpaths at Ballyalia would be addressed in an orderly fashion and that works could not have begun to date as high water levels prohibited same.*
- *Cllr. Flynn welcomed the improvement at the Turnpike area and welcomed the solution provided at this specific location. He requested that one additional bollard be installed on the corner closest to the town. Cllr. Colleran Molloy acknowledged the improvements at The Turnpike.*
- *Cllr. Colleran Molloy commented that she would like to recognise the work of A/SSE Barry Conway, in the absence of the SEE, Eamon O'Dea. She acknowledged that his level of responsiveness to the Elected Members was excellent during his tenure.*
- *Cllr. Colleran Molloy acknowledged the long service of retiring Elected Members Cllr. Tom Mc Namara and Cllr. James Breen and asked that the Executive of Ennis MD consider an appropriate recognition of their service.*

Signed: _____
Mayor of Ennis

Signed: _____
Meetings Administrator

Date: _____