**Minutes of the March 2020**

**Meeting of the Municipal District of Ennis Committee,**

**held at 10.30am on Tuesday 10th March, 2020,**

**in the Council Chamber, Áras Contae an Chláir,**

**New Road, Ennis, Co. Clare.**

**Present:**

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

**Officials:** Carmel Kirby, Director of Services, Leonore O’Neill, Senior Executive Officer, Eamon O’Dea, Senior Executive Engineer, John Leahy, Senior Engineer, John Corry, Administrative Officer, Tony Neville, Senior Executive Engineer, Gemma Culhane, Staff Officer and Mairead Griffin, Assistant Staff Officer.

**Item No. 1. Minutes of the February, 2020 Meeting of the Municipal District of Ennis Committee Meeting held on Tuesday 10th March 2020.**

*This item was proposed by Cllr. P. Colleran Molloy, seconded by Cllr. P. Daly and agreed by members.*

**Item No. 2. Matters Arising**

**Item No. 3. Notices of Motion:**

It was agreed by the members that the Notice of Motions would be taken in different order as some Cllrs had to leave the meeting early due to other commitments.

**No. 1 Notice of Motion submitted by Cllr. M. Howard & seconded by Cllr. M. Nestor**

Lee's Road / John O'Sullivan Park. The path leading in the woods to the left of the astro-turf is in need of maintenance as there are a number of potholes and uneven surface, I request that this surface is restored.

A basketball court has been promised in the past for the park, what is the current status of this?

**Tim Forde, Head of Sports & Recreation replied as follows:**

We have just received funding from the **2019 ORIS Measure 2 application** we submitted to the value of €66k towards repairs and refurbish of the walkways.

There has been no promise of a Basketball Court in Active Ennis John O’Sullivan Park, Lees Road. Except in the context of discussions of an indoor Arena. There is a basketball court in AETSP at the MUGA.

*Members welcomed the response to this Notice of Motion and acknowledged a larger expansion is required for the future development of Lee’s Road/John O’Sullivan Park to ensure that it is a more inclusive amenity.*

**No. 2 Notice of Motion submitted by Cllr. C. Colleran Molloy & seconded by Cllr. A. Norton**

That Ennis Municipal District examine the feasibility of constructing a passageway/footpath in Barefield after the end of the hard shoulder on right hand side going north to the first turn to the right, approximately 1/3 km in total.  This motion is requested to address the serious health and safety issues to the many users, pedestrians and cyclists, who are frequently using this stretch of road.

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

This matter was raised previously in October 2019. The Ennis MD has examined the Crusheen Road R458 at this location. The new section of the R458 over the M18 was not designed or constructed with a view to the provision of a footpath. The position of the road drainage and crash barrier is not conducive to same. No footpath currently exists outside the speed limit in the village and to link the existing path as far as this local road (approx. 1.5km) is, in my view, not practical or financially viable. In fact, the regional road in Barefield and the local road in question are already linked by a very safe walking route by means of the farm road constructed in conjunction with the M18.

**“Reply in October 2019**

**No. 2 Notice of Motion submitted by Cllr. A. Norton**

“Can Clare County Council look at putting a foot path on the fly over in Barefield on health and safety grounds.”

**Eamon O’Dea, S.E.E replied as follows:**

The Ennis MD will examine the location and determine whether a gravel pathway can be provided. Due to the location of the crash barrier and requirement to provide a means of preventing unauthorised caravan parking in the area the position of the path is not easily determined. A means of funding the works will need to be found possibly by use of GMA.”

*Members welcomed the response to this Notice of Motion. Cllr. P. Murphy noted that this Notice of Motion has been raised within the last 6 months and therefore was not in accordance with the existing Standing Orders. Leonore O’Neill, Senior Executive Officer, clarified and read out Standing Order No. 18;*

*‘A motion to revoke or amend a resolution of the municipal district members can only be made on notice inserted in the Agenda, and such notice shall specify the resolution to be revoked or amended and furnish the terms of the motion to be made; but no such motion shall be allowed to appear on the Agenda to revoke or amend any resolution of municipal district members within six months of the date of the adoption of such resolution except with the written assent of not less than four municipal district members. A resolution may not be revoked at the meeting at which it has been adopted.’*

**No. 3 Notice of Motion submitted by Cllr. M. Howard & seconded by Cllr. J. Flynn**

Drumcliff Graveyard.

The gates opposite Queally's need to be reset and bolts replaced.

***Barry Conway, Executive Engineer replied as follows:***

*We have been in contact with the caretaker for Drumcliff Graveyard and work has been completed.*

*Members welcomed the response to this Notice of Motion. Members wish to express their appreciation of the work carried out by Ennis MD staff.*

**No. 4 Notice of Motion submitted by Cllr. C. Colleran Molloy & seconded by Cllr. J. Flynn**

What if any progress has been made in developing this prime site known as the Ennis Boys National which is suitable for a mix of uses including residential and comparison retail?  Can the executive clarify what steps have been taken to decommission, move or otherwise the Eircom exchange on these lands.  What discussions have the executive had with Eircom to date including dates thereof.

**Brian McCarthy, Senior Planner replied as follows:**

The site of the former Ennis Boys National School is zoned as Mix-Use and identified as one of a number of Opportunity Sites in the Clare County Development Plan 2017-2023. The Planning Department has been actively engaged in discussions with landowners on this, and indeed all, Opportunity sites in Ennis with a view to stimulating and facilitating development from the private sector. Moreover the Planning Department have prepared design briefs to provide clarity, assist in feasibility and guide the bringing forward of development options. In terms of the detail sought by this Notice of Motion, it will be appreciated that specifics and content of the discussions and progress on this, or any other site, is commercially sensitive and confidential.

*Members welcomed the response to this Notice of Motion*

**No. 5 Notice of Motion submitted by Cllr. P. Murphy & seconded by Cllr. J. Flynn**

I refer to Notice of Motion from October 2018 when I requested that Ennis Municipal District explore the potential provision of additional public parking in the heart/ core of Clarecastle, and to consider alternative traffic flows to the situation that exists at “The Pound” (between the dispensary and The Castle/ Powers Pub junction). This is now an even greater priority given the Roche remediation works that are due to commence in the not too distant future.

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

The Ennis MD Office is checking planning permissions conditions relating to car parking provision in the centre of Clarecastle Village, locations where cars are parked overnight on the street, car parking usage during business hours, locations of existing car parking and locations where car parking might be considered.

The Roche remediation planning application has not been submitted therefore the Council are not in a position to consider the requirements for traffic management on Patrick Street.

The Council will be proceeding with a Traffic Calming under a Section 38 of the Roads Act 1994 application for the Urban and Village renewal scheme at the Village centre. This will involve reconfiguration of the existing car park to provide the same car parking numbers with safe pedestrian access to the playground amenity.

 **“Reply in October 2018**

**No. 4. NOM submitted by Cllr. P. Murphy**

That Ennis Municipal District explore the potential provision of additional public parking in the heart/core of Clarecastle, and to consider alternative traffic flows to the situation that  urgently exists at "the Pound" (between the dispensary and The Castle/Powers Pub junction)

**E. O’Dea, S.E.E., replied as follows:-**

It will be necessary to do a detailed assessment of existing parking in Clarecastle to identify which properties have access to private parking and if there is facility to develop access to private parking, and the purpose of potential car parking provision. The Ennis MD Office will contact the Clarecastle Development Company to identify the particular concerns and the purpose of potential additional car park provision.

The proposed adjustments to the Patrick Street-Main Street-Barrack Street-Quay Road Junction will reduce the capacity for higher speed access from Main Street onto Patrick Street.”

*Cllr. P. Murphy welcomed the response to this Notice of Motion and acknowledged more works needed to be carried out in relation to the village upgrade, subject to Planning. He clarified that this Notice of Motion was to include the wider village in particular cycle lanes and footpaths.*

**No. 6 Notice of Motion submitted by Cllr. J. Flynn & seconded by Cllr. M. Nestor**

I ask that the Elm Park footpaths, which are in poor and in places dangerous condition which urgently need repair, be included in the 2020 Ennis MD schedule of works.

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

*The Ennis MD has inspected the footpaths in Elm Park and localised repairs are required where vehicles have damaged the footpaths. There are short sections where full replacement of the footpaths will be required. This work will be listed in 2020 works schedules.*

*Members welcomed the response to this Notice of Motion*

**No. 7 Notice of Motion submitted by Cllr. M. Nestor & seconded by Cllr. J. Flynn & supported by Cllr. N. Norton**

This motion calls on Clare County Council to engage with the energy provider, to improve the quality of lighting in the Kincora Park and Shannon Park Estates on Lifford Road.

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

The Road Management Office (RMO) of the Department of Transport, Tourism and Sport public lighting energy efficiency project is approaching tender stage for the this region. The works will provide for the upgrade of all public lighting and works are anticipated to commence in the Ennis MD in 2021.

*Cllr. M. Nestor queried the order of works in which the programme will roll out.*

*Carmel Kirby, Director of Services, advised that Clare County Council took an early decision in rolling out the National Public Lighting Programme, to be part of region one which is to be the first region to be rolled out.*

**No. 8 Notice of Motion submitted by Cllr. A. Norton & seconded by Cllr. P. Murphy & supported by Cllr. P. Daly**

I ask the Ennis Municipal District write to the Department of Housing requesting that the legislation available to Local Authorities to deal with illegal encampments be reviewed with a view to increasing the powers available to enforcement.

While awaiting this I request that Clare County Council make their lands in the Ennis MD inaccessible to overnight parking and encampments as the current situation cannot persist.

***No response required***

*Members expressed their frustration with the powers available to the Local Authorities in dealing with illegal encampments. A review of the current legislation needs to be carried out with a view to increasing enforcement powers to deter illegal encampments. They noted that costs associated with the cleanup of this illegal activity are absorbed by the Local Authorities. The members acknowledged the work carried out by Ennis MD staff.*

*The Members expressed the view that a unified approach should be taken at a national level with other authorities including Revenue Commissioners and Dept. of Social Protection.*

*Members requested that a letter requesting the review of the current legislation would be issued to the Minister for Housing, Planning and Local Government, Environment, Clare TDs and to each Municipal District in the County.*

**No. 9 Notice of Motion submitted by Cllr. P. Daly & seconded by Cllr. A. Norton**

I ask Ennis MD to give an update on acquiring land for the provision of widening the road (approx 300 yards) close by Knockanean School on the Gaurus side.

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

An application for planning has been lodged by the Commissioners of Public Works on behalf of Dept. of Education & Skills for works at Scoil Náisiúnta Cnoc an Ein (Knockannean National School) Knockanean  (Ref: 19/961).  Further information was sought on Feb 6th 2020 by the Planning Authority.  It would not be appropriate to comment whilst there is an active planning application.

*Cllr Daly highlighted that the road is a bottleneck and needs to be widened.*

*Carmel Kirby, Director of Services, advised that Clare County Council will continue to support the school, subject to appropriate planning permissions.*

**No. 10 Notice of Motion submitted by Cllr. P. Murphy & seconded by Cllr A. Norton**

I am proposing that Ennis Municipal District adopt a policy whereby recipients of community funding/festival and events funding receive their allocations in a public forum by the Municipal District Mayor of the day.

***No response required***

*Cllr Murphy outlined that in October, 2018, a delegation from Clare County Council travelled to Langenfeld, Germany for a Twinning Trip. Cllr. Murphy attended a reception where funding recipients gave a performance and the Major publically distributed funding by inviting all groups onto the stage to accept their financial contribution. This in turn highlighted to the public the groups that were in receipt of funding and the extent of funding provided.*

*This was discussed by members and agreed in principal. It was agreed that Ennis MD staff will review further.*

**No. 11 Notice of Motion submitted by Cllr. J. Flynn**

Ballhee Cut Famine works at Ballyalia Lake.

I ask that funding be provided from any unspent GMA for the repair of the Flood relief works carried out at Ballyhee Cut just north of Ballyalia Lake. This historic piece of cut stone civil engineering works is in a poor condition and at serious risk of further deterioration.

***No response required***

*Cllr J. Flynn acknowledged the degree of investment required to preserve this important heritage item and has requested that this project should be discussed further when discussing GMA.*

*Leonore O’Neill, Senior Executive Officer, advised that Ballyhee cutting is being undermined by Sycamore growth. Funding is required to clear the area in order for a conservation engineer to carry out a full assessment of the site.*

**No. 12 Notice of Motion submitted by Cllr. P. Daly & seconded by Cllr M. Nestor**I request Ennis MD to upgrade two Cul de Sac roads at Collins Park, Gallows Hill adjacent to house no’s (13 & 14) (15 & 16) as they are seriously in very bad repair.

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

The two locations have been inspected by the Ennis MD Office and work is required adjacent to 15 Collins Park around a manhole lid. The remainder of both of the cul de sacs are in reasonable condition. The works will be placed on the list of road repairs in the Ennis MD.

*Members welcomed the response to this Notice of Motion*

**Item No. 4. Schedule of Municipal District Works 2020**

John Leahy, Senior Engineer, John Corry, Administrative Officer and Tony Neville, Senior Executive Engineer, Housing presented in detail the individual allocations under the Schedule of Municipal District Works for 2020 as circulated to members. There is a significant increase of 7.3% in the budget compared to last year which is especially welcome due to the significant damage to the roads following recent weather events.

*Members welcomed the increase in funding and in particular the new grant under Drainage which will also have a positive impact on the road network.*

*The Members raised queries regarding parts of the programme of works and these queries were responded to by the Senior Engineer and the Senior Executive Engineer who confirmed that works would be carried out on Abbey Street and at the Kilrush Road Cross as part of the works programme.*

**Proposed by Cllr A. Norton, seconded by Cllr P. Murphy & Cllr. M. Nestor and agreed by the Members.**

**Item No. 5. Correspondence**

There was no correspondence

**Item No. 6. Any other business**

* Councillors wished Marie Cunningham O’Leary, School Warden best wishes on her retirement.
* Cllr. Nestor has requested an update on Knockaderry Grove ESB for the next MD meeting.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor of Ennis

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Meetings Administrator

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_