**Minutes of the April 2021**

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

**held at 10.30am on Tuesday 6th April 2021,**

**online via ms teams**

**Online:**

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

**Officials:** Leonore O’Neill, Senior Executive Officer, Niamh O Connor, Administrative Officer & Meetings Administrator, Eamon O’Dea, Senior Executive Engineer, Lily McInerney, Staff Officer.

Apologies: Carmel Kirby, Director of Services

**Item No. 1. Minutes of the March 2021 Meeting of Municipal District of Ennis Committee held on 2nd March 2021 at 10.30am**

*This item was proposed by Cllr. P. Daly, seconded by Cllr. A. Norton and agreed by all members.*

**Item No. 2. Matters Arising**

None.

**Item No. 3. Draft Casual Trading Byelaws (tbc)**

Item covered at casual trading workshop on 31.03.2021.

**Item No. 4. Notices of Motions**

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

I request the Ennis MD engineer give an update on the proposed traffic controls at the junction of Shanaway Road and the N85 / Lahinch Road.

1. Has there been engagement with TII recently?

2. What funding has been allocated for this project?

3. Has there been engagement with local property owners?

4. Is there a proposed timeline to starting and completing the works necessary?

***John Gannon, Senior Executive Engineer, responded as follows:***

*The Road Design Office (RDO) have been engaging, on a regular basis, with the TII regarding the junction of Shanaway Road and the N85 / Lahinch Road. The RDO have submitted design engineering options to the TII as part of this process. At our last meeting with the TII the RDO has been requested to review design options giving consideration to Active Travel Measures for the area. Revised design options are now being prepared in this regard.*

*This item was seconded by Cllr. J. Flynn and agreed by all Members.*

Cllr. Howard acknowledged the work of road design on this, adding that traffic volumes queuing to exit Shanaway Road had not reduced, even during the temporary closure of the football club and golf hotel during covid. All Members voiced support, and expressed their desire to see it progressed. It was queried as to why TII were raising ‘active travel’ at this juncture.

Eamon O’Dea, Senior Executive Engineer, clarified that TII is responsible for numerous design approvals and in order to align with current Government initiatives, it applies a format which seeks the best match between infrastructural design and ‘Active Travel’ requirements. Cllr. Howard requested that any further updates on this issue be communicated to Members.

It was agreed that a meeting for Members with the Road Design Office would be facilitated.

Members to email in any particular road design issues in advance.

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

As the Ennis Brass Band are celebrating 50 years this year it would be nice to honour their work and dedication to the Town and the County.

***No Response Required***

*This item was seconded by Cllr. P Murphy and agreed by all Members.*

Cllr. Norton praised the achievements of the Ennis Brass Band on their 50th Anniversary and how they have come to represent all that is good about Ennis, with so many individuals involved over the years and it would be right and fitting to acknowledge their immense contribution to the people of Ennis. Whilst a ceremony cannot be undertaken currently, it should be organised at a future date, and an acknowledgement was appropriate at this time. All Members voiced support, commending the exemplary voluntary contribution of the group to the vibrancy of Ennis for all major events like St. Patrick’s Day. Particular mention was made of a number of families central to its success and in particular the McAllister family.

It was agreed that a letter of congratulations be issued from Ennis Municipal District.

**No. 3 Notice of Motion submitted by Cllr. J. Flynn**

I request a report on the “planning & development” status of “Homesavers” operating at Ballymaley Business Park, Gort Road.

**Gareth Ruane, Acting Senior Executive Planner, responded as follows:**

*The Planning Authority are aware of an alleged breach of planning permission in a premises at the Ballymaley Business Park. There is an ongoing enforcement file on same and legal advice is being sought with respect to this matter.*

*This item was seconded by Cllr. C. Colleran-Molloy and agreed by all Members.*

The Mayor requested that everyone be mindful that there is a potential legal process on this matter. Cllr. Flynn voiced ongoing concern regarding this issue and referenced 3 similar cases in Waterford which were closed down by a Court order. He acknowledged that retail competition and the associated job creation is to be supported, notwithstanding this, any development should be in compliance with planning. He stated the response does not outline the current status. Cllr. Colleran-Molloy voiced support whilst acknowledging the ongoing enforcement file and the requirement for due process to unfold. Cllr. Norton added that rate paying businesses must be supported. Members agreed that despite a potential legal case, clarity is required on whether this activity is appropriate.

**No. 4 Notice of Motion submitted by Cllr. M. Nestor**

Castlewood Park

This motion is requesting Clare County Council to erect speed ramps at the entrance and exit to Castlewood Park, as residents are extremely concerned with the level and speed of traffic in the area.

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

*Castlewood Park is one of the pilot 30kph residential speed limit zones in Ennis and has existing traffic calming measures. The speed survey following the introduction of the 30kph speed limit showed an average speed of 27kph. The Ennis MD will carry out a speed survey and traffic count at Castlewood Park to determine if there is a requirement for any further traffic calming measures.*

*This item was seconded by Cllr. A. Norton and agreed by all Members.*

Cllr. Nestor acknowledged the response and added that the location of this estate makes it attractive as a short-cut. He voiced concern that existing pedestrian measures, located at upper Castlewood Park only, are not sufficient, requesting that a further 2 ramps be located at the top and end of Castlewood park. This Motion was widely supported by Members and reference was made to the implementation of a very low speed limit across the town so that it is widely understood and accepted by motorists. Eamon O’Dea added that the element of driver behaviour cannot be corrected by speed limits but that the eventual embedding of ‘Active Travel’ plans may help bring about some behavioural change.

**No. 5 Notice of Motion submitted by Cllr. C. Colleran-Molloy**

In light of the positive news of funding for the greenway/cycle way from the Quin Road to Clarecastle, that an update on the efforts underway to create a greenway/blueway from Ballyallia to Clarecastle be provided.

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

*The Ennis MD has submitted the “Connecting and Co-creating Ennis” project to the NTA for Active Travel Funding in 2021 with the intention of phasing the works over a number of years. Some of the elements of works identified in the project will require the completion of the Mobility Plan for Ennis to show the justification for the proposed higher cost works.*

*The EarthRoute “Banks of the Fergus and Ecclesiastical Loop Walk”, “The River Fergus Town Loop Walk” and “The West Clare Railway Loop Walk” provide a means of getting from the N85 Bridge at Clareabbey to Ballyallia. This will bring a person on the proposed river bank walkway (ORIS Funding 2021) on the Quin Road over the Railway line, along Clonroad and Tulla Road, Kevin Barry Avenue to Fr Matthew Road to the Gort Road and onwards to Ballyallia. This work will be undertaken in stages as the funding becomes available by NTA Active Travel, ORIS Funding or other forms of grant funding.*

*This item was seconded by Cllr. P. Murphy and agreed by all Members.*

Cllr. Colleran-Molloy welcomed the response and the positive advances in this type of walking route. This motion was supported by Cllr. Murply who also welcomed the €200k funding announced since the March meeting. Eamon O’Dea clarified that some work on the Ennis South Flood Scheme is yet to be completed and the timeframe for works would be provided by the Project Management Office. Leonore O’Neill Senior Executive Officer clarified that the NTA application “Connecting and Co-creating Ennis” combines a number of walking routes. Clare County Council have been approved to undertake level 1 works, which include drop kerbs, footpath repairs, and installation of age friendly seating. It is the intent of Ennis MD to apply for funding in future years for other elements of the plan.

**No. 6 Notice of Motion submitted by Cllr. P. Murphy**

I welcome the inclusion of Summerhill in the current Roadworks Programme and request that this work be expedited in as prompt a manner as possible given the inconvenience that the residents have endured as a result of traffic detours in the area.

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

*The works are in this year’s roads works programme. The commencement date is dependent on completion dates on elements of the Parnell Street Public Realm Works and on the Temporary COVID-19 Ennis Town Centre Mobility Management Plan, which was formulated in response to Government guidance on social distancing. It is the intention of the Ennis MD that this work will proceed this year as soon as the traffic movements permit works to be undertaken.*

*This item was seconded by Cllr. Colleran-Molloy and agreed by all Members.*

The response was welcomed by Cllr. Murphy. It was clarified that the objective remains to complete works in Summerhill this year.

**No. 7 Notice of Motion submitted by Cllr. P. Daly**

I request Ennis Municipal District to consider putting down fencing behind the bungalows at Pairc na Coille estate, so that instead of a complete open garden, each tenant would have their own individual garden.

***Siobhan McNulty, Senior Executive Engineer, responded as follows:***

*Clare County Council, through the Housing department have entered into a lease agreement with the owners of Pairc na Coille. The terms of the lease are such that this Council are responsible for the maintenance of the communal areas however, we are not authorised to undertake any changes to the property. To that end the delineation of gardens is not permissible under the current lease agreement with the property owner.*

*There are communal garden areas for the beneficial use and enjoyment by the residents, these are available without the obligation to keep and maintain individual garden areas.*

*This item was seconded by Cllr. M. Nestor and agreed by all Members.*

Cllr. Daly acknowledged the response to this Motion and stated that he accepted the response.

**No. 8 Notice of Motion submitted by Cllr. M. Nestor**

This motion is calling on Clare County Council to carry out works at the vacant site in Shallee Drive to clear away large amounts of rubbish dumped there in recent weeks.

***Brendan Flynn, Senior Executive Engineer, responded as follows:***

*The Environment Section with assistance from our Property Management team will arrange for the removal of all waste at the vacant site in Shallee Drive.*

*This item was seconded by Cllr. M Howard and agreed by all Members.*

The response was welcomed by Cllr. Nestor who informed the meeting that the clearance work had been undertaken and that a vast improvement was evident. He added that residents had been very appreciative of this work. This Motion was widely supported. Eamon O’Dea advised that the intention is to fence the site and this is being discussed with the Property section.

**No. 9 Notice of Motion submitted by Cllr. P. Daly**

I ask Ennis Municipal District and the Mobility Stakeholders to keep the Traffic situation under constant review, with a view to reopening selected streets if Clare’s Covid numbers continue to improve.

***Leonore O’Neill, Senior Executive Officer, responded as follows:***

*The Temporary Covid-19 Ennis Town Centre Mobility Plan was brought in as a response to Covid-19 to enable social distancing on the narrow streets of Ennis. The plan is subject to ongoing review and the Government guidelines around social distancing remain unchanged at this time.*

*The stakeholders group comprises all seven Ennis MD Cllrs, the HSE, An Garda Siochana, Ennis Chamber of Commerce, Retail Excellence Ireland, Retailers of Ennis, Better Ennis Vintners Federation, Older Persons Council and disability advocates. The measures currently in place were agreed by all stakeholders who consider the plan in the context of submissions received, and government guidelines.  It was collectively decided by the group not to alter the traffic re-routing measures during the current level 5 lockdown. The next review of the plan is scheduled for shortly after the easing of the current lockdown measures.*

*This item was seconded by Cllr. Clare Colleran-Molloy and agreed by all Members.*

The comprehensive response from Leonore O’Neill was welcomed by Cllr. P. Daly and he acknowledged the necessity for the measures taken. He was strongly supported by all Members in his hopes that with the lifting of restrictions, a degree of re-opening will happen sooner rather than later. Leonore O’Neill reminded Members that the Mobility Plan was temporary in nature and was in response to the COVID 19 pandemic.

It was agreed that a temporary mobility plan stakeholders meeting would be arranged after April 12th when there would be clarity on any changes to current restrictions and government guidance around social distancing.

**No. 10 Notice of Motion submitted by Cllr. C. Colleran-Molloy**

That an update be provided of the review that was to be undertaken of the road and footpath condition and upgrades needed in St Michaels Villas, and when such works will be scheduled.

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

*The existing roads and footpaths in St Michaels villas were inspected by Ennis MD and their condition did not warrant their prioritisation for inclusion in this year’s Schedule of Municipal District Works.*

*This item was seconded by Cllr. M. Nestor and agreed by all Members.*

The response was acknowledged by Cllr. Colleran-Molloy who stated that she would concede to the engineer’s opinion on the issue but that residents do see this as a neglected area and that its central location attracts through traffic. She requested that this area be included in talks with road design and future works programmes. This Motion was supported by other Members with a suggestion to consider donating an element of GMA towards this work.

**No. 11 Notice of Motion submitted by Cllr. P Murphy**

Allowing for the fact that we are still currently in level 5 of Covid 19, can I request an update on the traffic calming works and likely construction of these in Abbeycourt/Abbeyville, Clare Road.

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

*Under Covid Level 5 Restrictions we can only undertake works that relate to maintenance of the road networks. The works have been awarded to a locally based contractor and we anticipate that they will commence in early April subject to Government Covid Guidance. The completion of the section adjacent to the R458 will be subject to the level of activity at the Vaccination Centre based in the Conference Centre at the Tracey’s West County Hotel.*

*This item was seconded by Cllr. Colleran-Molloy and agreed by all Members.*

The response was acknowledged by Cllr. Murphy adding the works will be beneficial and welcomed by all when they come to pass. This motion was well supported by Members.

**No. 12 Notice of Motion submitted by Cllr. M. Howard**

I have received numerous complaints from residents from Tobarteascáin regarding ongoing traffic issues. The area is being used as a rat run and there has been numerous complaints of speeding in the area.

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

*The Ennis MD will carry out traffic and speed surveys and discuss the outcome of the surveys with the Road Design Section. The outcome of the traffic and speed surveys may identify the necessity for actions by the Ennis MD or An Garda Siochana.*

*This item was seconded by Cllr. J. Flynn and agreed by all Members.*

Cllr. Howard described reckless driving in this area and requested that consideration be given to table-top speed bumps and that the stretch of road be re-lined. The Motion was supported by Cllr. Flynn who also acknowledged the phenomenal investment in this area over the past number of years, including surfacing, flood drainage and lighting.

**No. 13 Notice of Motion by Cllr. J Flynn**

I request a report on the “planning & development” status of the ongoing “homeless & emergency accommodation” use of tourist accommodation buildings at both Ashford Court, Considine Terrace, Ennis and Westbrook, Gort Road, Ennis.

***Gareth Ruane, Acting Senior Executive Planner, responded as follows:***

*With regard to the Ashford Court Hotel, the Council currently buy rooms in the hotel to accommodate those in need of emergency accommodation. As this is an existing hotel/commercial transaction, it is not considered that a change of use in planning terms has occurred. With regard to Westbrook House, the use of the building for emergency accommodation use is continuing. The Council are aware of the declaration as issued by An Bord Pleanála and are working to resolve this matter. Further advices are awaited with respect to same.*

*This item was seconded by Cllr. C. Colleran-Molloy and agreed by all Members.*

Cllr. Flynn acknowledged the Housing authority’s role and voiced support for the endeavours of the Homelessness Action Team but stressed that housing persons with a particular set of needs in mainstream B&B was inappropriate and generating problems for other residents living adjacent to the Ashford Court Hotel and Westbrook House. He recommended proper services be provided in a proper location. Cllr. Flynn requested clarity on scope within the legislation, to establish a subcommittee of the Joint Policing Committee which would have an ‘Ennis’ focus for a minimum of 12 months, to include Housing officers, Mid-West Simon, An Garda Siochana and Members of Ennis Municipal District. This motion was strongly supported by Cllr. Colleran-Molloy who stated that elected members should have an access route directly to An Garda Siochana on crucial social issues. All Members voiced support and a consensus that specialist housing for homeless persons required the involvement of all key community stakeholders in the housing decision making process.

It was agreed that Ennis Municipal District would write to the Joint Policing Committee to investigate the feasibility of setting up a sub-committee as outlined.

**No. 14 Notice of Motion by Cllr. A. Norton**

On the main R458 the old N18 there are a number of potholes can this road be maintained and also swept on both sides as the cycle season is starting.

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

*A section of the R458 at Ballyogan is in the Surface Dressing Programme 2021. The condition of the cycle lanes will be inspected and necessary maintenance undertaken. The sweeping of the cycle lanes on the R458 will be part of the Road Sweeping Programme from April through to October.*

*This item was seconded by Cllr. P. Murphy and agreed by all Members.*

The response was acknowledged and Cllr. Norton expressed appreciation that this stretch of road is in the current programme as it is a valued cyclist route. She also acknowledged the work of Eamon O’Dea and the roads teams for continuing the maintenance programme in a covid climate during the last number of months. This motion was supported by Cllr. Murphy who also commended ongoing maintenance works.

**Item No. 5 Correspondence**

None.

**Item No. 6 Any Other Business**

* Cllr. P. Murphy expressed an appreciation of the €200,000 funding announced since the March Meeting for the Ennis to Clarecastle Greenway. He also commended the achievement of securing €4m for public realm works in the town centre. This, combined with successful ‘Active Travel’ funding, was very positive news.
* Cllr. P. Murphy commended the efforts of EMD staff in the successful organization of the virtual St. Patrick’s Day event. Members complimented Mayor of Ennis Paul Murphy, Grand Marshall Tommy Meskill, and Paul Corey videographer for their professional contributions in producing the online event.
* Condolences were expressed by Cllr. A. Norton to Tommy Meskill and family on the death of his grandmother.
* Cllr. C. Colleran-Molloy commended the quick response provided by Eamon O’Dea and Barry Conway to circumvent what looked like an imminent illegal encampment being set up in Ballybeg before the Easter break.
* Continued illegal dumping is occurring at the Knockanean site along the wall and wooden fence which the Housing Office will address.
* Leonore O’Neill outlined the two strands of the ‘Outdoor Dining Enhancement Scheme’ which are being funded by Failte Ireland. The ‘Outdoor seating and accessories for tourism and hospitality’ which is being administered by local authorities and the ‘Weatherproofing and Outdoor Dining Infrastructure’ (each LA can apply for up to €200k)
* Active Travel funding of almost €6m for Clare, second highest amount in the country, was acknowledged. The Senior Executive Officer and Senior Executive Engineer were commended for their efforts in securing the Ennis and environs element of this vital funding.
* Condolences were expressed by Cllr. P. Daly to the Browne Family on the death of Marty RIP and to Danny Moran on the recent passing of his wife Marie Moran RIP.

Chair Cllr. P. Murphy closed the meeting.

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

Mayor of Ennis

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

Meetings Administrator

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