**Minutes of the May 2021**

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

**held at 10.30am on Tuesday 4th May 2021,**

**online via ms teams**

**Online:**

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

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

Apologies: Carmel Kirby, Director of Services

**Item No. 1. Minutes of the April 2021 Meeting of Municipal District of Ennis Committee held on 6th April 2021 at 10.30am**

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

**Item No. 2. Matters Arising**

(i) Cllr. J. Flynn requested an update on the motion regarding Homesavers *“Members agreed that despite a potential legal case, clarity is required on whether this activity is appropriate”.* Niamh O’Connor, Administrative Officer, provided a verbal update from the Planning Department that the case is in hand and is being progressed.

(ii) Cllr. J. Flynn referenced item from Notice of Motion No. 13 “*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.”* It was agreed to deal with this under item 6 -correspondence.

**Item No. 3 Section 183 Disposal of Lands**

**(i) Section 183 Disposal of Lands: Drumquin, Barefield, Co. Clare.**

Report circulated from the Planning Department for lands originally acquired for Ennis bypass, now no longer required, zoned community and for purchase by St. Flannan’s Diocesan Trust on behalf of Barefield Community. For approval to full Council.

*This item was proposed by Cllr. M. Nestor, seconded by Cllr. C. Colleran-Molloy and agreed by all members*.

**(ii)Section 183 Disposal of Lands: Property at 4 Clancy Park, Ennis, Co. Clare**

Report provided to Members. Property at 4 Clancy Park, Folio 9059F, now to be fully acquired by Noreen Moloney under the shared ownership scheme.

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

**Item No. 4 GMA Festivals & Events, Community Projects**

* GMA – Festivals & Events, Community Projects – Approval of funding to be awarded.

Report circulated in advance of meeting.

*This item was proposed by Cllr. A. Norton, seconded by Cllr. C. Colleran-Molloy and approved by all Members.*

* “Going WeLL Clare” Teenage Programme – Approval of €500 donation per Member.

This item was deferred to June Meeting. It was agreed that Members would liaise with EMD, regarding individual funding commitments.

**Item No. 5 Notices of Motions**

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

Over the last couple of years I have been approached by a number of people who would like to either plant a tree or provide a bench to remember loved ones at Lee's Rd John O'Sullivan Park.  Is it possible that Ennis Municipal District executive consider this proposal?

***Niamh O’Connor, Administrative Officer, responded as follows:***

*Clare County Council have an adopted memorial policy.  Applications for plants/trees/benches to remember loved ones can be submitted to the memorial committee for consideration.*

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

Cllr. Howard stated that the provision of something relatively simple such as a plant or bench should be readily provided adding that there is a requirement for additional seating in parks. Cllr. Colleran-Molloy advised that the role of the memorial committee is to harmonise the look of memorials. She agreed to take this issue to the memorial committee, clarifying that an application requires the name of an individual.

It was agreed that EMD would write to the social directorate giving details of the notice of motion and discussion for their consideration.

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

That Ennis MD investigate the possibility of putting the registration of the car on the bag that takeaways and drive thru’s so when it’s tossed out the window, it can delivered back to its owners with a fine for littering. This could be a pilot project to deter people from littering.

**Cyril Feeney, Senior Engineer, responded as follows:**

*I note the merits of introducing such a scheme but unfortunately I do not believe there is a legislative basis under the Waste Management Act or Litter Pollution Act upon which we could compel vendors to affix vehicle registrations to takeaway bags. I would also be mindful of GDPR legislation whereby vehicle registrations would be classed as personal information and the Takeaway vendors would have no lawful basis for requesting that information from their customers. We will continue to work with the Regional Waste Management Office and REPAK in order to reduce the amount of food packaging put on the market in general.*

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

Cllr. Norton stated she was surprised with the response as she believed environment are always looking for innovative ways of enforcing the law. This motion was supported by *Cllr. C. Colleran-Molloy* who applauded Cllr. Norton’s creativity on the issue. Leonore O’Neill stated that Clare County Council will continue to work within our available powers, and to educate the public in this regard.

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

I ask that a feasibility study be carried of Abbey Street in order to apply for Part 8 Planning prior to lodging an application to Government for URDF funding under the Ennis Town Centre Public Realm Regeneration.

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

*The public realm works currently underway in Ennis will benefit all of the town, not just the individual streets that are being regenerated. The overall connectivity with Abbey Street is being enhanced through the URDF programme of projects. In particular, public realm works from Abbey Street Car Park to Abbey Street, through Shank’s Lane, Brewery Lane, and Post Office Lane are planned from April to June 2021. This will be followed by public realm works from Friary car park to Abbey Street via McNamara Lane / Friars Bow.*

*Active Travel Funding has been secured for the design of a cantilever footpath extension on Club Bridge on the town side.  This will also improve pedestrian accessibility at Club Bridge when constructed, thus enhancing pedestrian access to the town through Abbey Street.*

*The areas applied for in the Urban Regeneration and Development Fund, were areas where previous feasibility studies had been undertaken by Clare County Council to address known deficits in the town.  The exception to this was O’Connell Street which links the Height and Barrack Street areas.  It is the intention of Clare County Council to examine the Abbey Street area in future work programmes. The Ennis MD are working with the Planning Section to structure a brief for a feasibility study for Abbey Street with the intention of seeking funding to proceed with the study.*

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

Cllr. Flynn reminded the meeting that he had proposed Parnell Street upgrades in 2015 and highlighted the lengthy timescales between a feasibility study and work rollout. In his view it would be prudent not to delay initiating this project in order to ensure Abbey Street is not at odds with the new “shared surface” in other parts of the town. This motion was strongly supported and Cllr. Howard recommended a unified approach in reassuring businesses that Abbey Street is not being excluded but rather that these upgrades are delivered on a phased basis.

Leonore O’Neill, Senior Executive Officer, explained that she had been liaising with the Planning Department on this issue and once funding for a feasibility study is approved, it would be progressed.

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

I'm requesting on behalf of Cloughleigh Residents Association, that a system be put in place that would see the playground in Davitte Terrace closed every evening at 8pm during Summer months and 6pm during Winter months.

***Tim Forde, Sports & Recreation Manager, responded as follows:***

*It is the responsibility of the Active Ennis team, using certified playground inspectors, to inspect this facility on a weekly basis. These inspections are to ensure that all equipment therein is fit for purpose and safe for use. Active Ennis, under Sports & Recreation, has never been responsible for opening and/or closing the playground. It is our understanding that this element was for the community themselves to manage.*

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

Cllr M. Nestor highlighted that the local community group was of the belief that the Council is responsible for opening and closing the playground, referring to old town council bye-laws. He requested that EMD research same. He briefed the meeting on the increasing levels of anti-social behaviour in the evening time by older children who don’t appear to be from the area and that gate closure would mitigate this. Cllr. Nestor requested that action be undertaken to be resolve this issue.

It was agreed that EMD would bring the concerns raised back to Active Ennis, in addition the old town council byelaws would be examined to determine if they could provide clarification on this matter.

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

There has been a welcome abundance of pedestrians and cyclists along the Ballybeg Rd as people take the loop walk along the Kilrush Rd and Limerick Rd, and locals who walk are complaining about the speeding on the road which I have observed and find very concerning. Locals are seeking to have speed ramps installed along the Ballybeg Road akin to those along the Golf Links Road, on Cahercalla Rd, along Tobartaoscain and/or to install a VMS flashing signs.

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

*The Ennis MD will carry out speed surveys on Ballybeg Road. If the speeds recorded warrant further interventions, the details will be forwarded to An Garda Siochana for their review of traffic enforcement locations.*

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

This motion was well supported by Members and Cllr. Colleran-Molloy began by welcoming the funding which had been secured for footpaths from the Water Tower to Kildysart Road. She queried if speed surveys could be carried out at peak commuter times. Eamon O’Dea Senior Executive Engineer clarified that traffic speed surveys, carried out for 24/36/48 hour intervals on various days, provide a good overview on whether speeding is an issue. He cautioned that driver behaviour is a matter of civic responsibility. He reminded the meeting that in general terms the widening of roads leads to greater speeding whilst narrowing had the opposite effect and that one of the most effective signs is the 50kph which is widely adhered to. VMS signage is not recommended at this location; it is designed for minimal use as its prevalence renders it ineffective as the driver becomes immune. Works on Water Tower to Quay Road are to happen and clarity on dates will be provided at June EMD.

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

I am requesting that additional street lighting is provided in St. Joseph's terrace, Clarecastle. There are parts of the older development in particular that are poorly lit.

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

*This has been referred to the Public Lighting Engineer, to get a report from our public lighting maintenance contractor. The report will be brought back to the Councillors for their consideration.*

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

Eamon O’Dea informed attendees that the Lighting Engineer had carried out a site visit and Members would be furnished with his report once it is available. He added that EMD currently has no funding for this and that the lighting will be provided if it can be funded under the public lighting contract.

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

I ask Ennis Municipal District to request the Environment Section of Clare County Council to consider finding ways to incentivise civic-minded members of the public to report incidences of illegal dumping in the Ennis municipal district area and, where possible, make evidence available.

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

*There are a number of ways in which the public can report incidences of illegal dumping to Clare County Council.*

* *The Environment Section has an Anti-Litter Hotline 1800 606 706.*
* *The Public can notify the Environment Section via the fix your street web page* [*http://www.fixyourstreet.ie/reports/submit*](http://www.fixyourstreet.ie/reports/submit)
* *Alternatively the public can contact the Environment Section directly via our online query page*[*https://www.clarecoco.ie/your-council/contact-the-council/online-query/default.aspx*](https://www.clarecoco.ie/your-council/contact-the-council/online-query/default.aspx)

*If evidence of Illegal dumping is found, we will take appropriate enforcement action. In addition to public reporting, the Environment Section has a very active Waste Enforcement team comprising of an Executive Engineer, Waste Enforcement Officer and 4 Wardens who carry our daily patrols of the County. We also remind the public that, we operate 5 Civic Amenity sites where the public can bring items of waste for a nominal charge and certain items for free.*

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

Cllr. P. Daly welcomed the detailed response and the numerous ways the public can help with reporting illegal dumping. He noted that in some cases a member of the public will report illegal dumping but remain anonymous whilst others are prepared to go all the way to Court and that this type of civic behaviour is to be encouraged. This motion was supported by Members.

The discussion on this NOM will be forwarded to the Environment section for their consideration.

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

I have received a number of complaints regarding excessive speed being used by not just vehicles but by ponies and traps on the stretch of road from Circular Road to the Cornmarket - it is possible to look at alternative traffic calming measures?

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

*The Ennis MD will carry out speed surveys on Circular Road. If the speeds recorded warrants further interventions, the details will be forwarded to An Garda Siochana for their review of traffic enforcement locations.*

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

Cllr. Howard briefed on the numerous complaints she had received and would ideally like to see the entire town limited to a 30kph limit adding that she hopes to see some traffic calming measures on foot of the speed surveys. Cllr. M. Nestor also voiced support for this motion and would welcome any solutions on foot of the surveys for this inner town road.

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

I ask Ennis Municipal District to consider extending the sewer from Ross Leamháin estate, Roslevan (opposite Fahy Hall) to the main Tulla Road sewer via Aughvaddy Bridge.

***Cyril Feeney, Senior Engineer, responded as follows:***

*Clare County Council are no longer a Water Services Authority following the establishment of Irish Water in 2013. The local authority have no longer a legislative basis or powers to provide municipal water/wastewater services infrastructure. That function resides solely now with Irish Water.*

*We will forward the request to Irish Water.*

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

Cllr P. Daly acknowledged the response and reminded the meeting that there are homes in this location waiting for connection to the mains for 20 years despite being so close to the mains. He strongly urged that pressure is put on Irish Water to take responsibility for this. Cllr. Flynn supported this Motion stating that use of septic tanks in an urban area is not appropriate.

It was agreed that EMD would write to Irish Water to officially request extending the sewer from Ross Leamhain estate Roslevan to the main Tulla Road sewer.

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

That the Park opposite the Mill House be examined and assessed for maintenance.  The benches, fencing, lighting and lawns are in very poor condition with the benches being in such a state of disrepair as to render them unusable even on a sunny day.

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

*The grass cutting contractor is complying with the Council’s Pollinator Plan by commencing the grass cutting late in April and gradually reducing the grass height through May to retain as much natural flowers to assist the pollinators. The benches are in good order but would benefit from some decorating. The Ennis MD will be proceeding with a painting contract this year and this park is included in the list of works. There is some minor repairs to the paving flags and this is listed for the Ennis MD works crews. The river walk from Mill Bridge to Victoria Bridge is part of the lower frequency street cleaning schedule and I have requested that the Cloughleigh carpark and river bank walk is included in that rota.*

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

The response was welcomed by Cllr. C. Colleran-Molloy.

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

On the Ennis side of Clareabbey roundabout (near Pat Flynn's residence) I am requesting that the area of broken footpath is repaired as it is a trip hazard/health and safety concern.

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

*This is prioritised on the Ennis MD Works Crew list and will be completed once the present phase of road construction works are completed.*

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

Cllr. P. Murphy acknowledged the response clarifying that when the new paths were laid, this small area was omitted from the works.

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

This motion is requesting that works be carried out, outside 62 Honan's Terrace to alleviate water ponding.

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

*The Ennis MD carried out works in this area to eliminate ponding and will carry out an inspection during wet conditions to determine if further work is required.*

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

Cllr M. Nestor welcomed the response and reiterated that one particular area was prone to repeat ponding, so it would be most beneficial to see this rectified.

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

I ask Ennis Municipal District to progress in the Post office Field in central Ennis on previous Ennis Town Council initiatives to provide family friendly, sustainable, environmentally friendly recreational amenities. As a start I ask that urgent consideration be given to installing a “ Tot Lot” ie a small playground for younger children and their parents, guardians or grandparents.

***Linda Earlie, Senior Enterprise Development Officer, responded as follows:***

*Ennis Municipal District are committed to utilising key town centre sites such as the Post Office Field for amenity areas within the town and improving the public realm for the town users.  The Post Office Field has been identified as an Opportunity Site in the Clare County Development Plan 2017-2023 (as varied) and as part of a Transformational Site in the Ennis 2040 Economic and Spatial Strategy.*

*Aligning future development proposals with these planned objectives will be key for ensuring a co-ordinated approach to town centre site development and that the needs across all age cohorts are catered for as part of this process.  In order for the Council to consider further proposals for the site, Clare County Council will be required to carry out due diligence and in this regard a number of investigations are required to be completed including a Flood Risk Assessment, Bat surveys, a Tree Survey of the site,* Ground Penetrating Radar and *Topographical surveys and Site Investigations, an Appropriate Assessment, a Landscape Management plan and engagement with key stakeholders.*

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

Discussion ensued and Members widely supported this motion. Cllr. Flynn outlined endeavours since its purchase at €1m by the then Urban Council in 1983, to keep this area development-free and keep it zoned for public amenity use and how it was an ambition in the remaining years of this Committee to have what he termed “the lung of Ennis” transformed into a family-friendly area and allowing for wildlife and biodiversity protection. The “Tot Lot” would fall very appropriately into this category and provide an excellent area for all age groups to gather and enjoy the centre of town. Cllr. Norton referenced a draft report carried out a few years ago on the Post Office Field and reference was made to other reports over the decades and the significance of using research already undertaken to inform how to progress this. Leonore O’Neill, SEO, reminded the Meeting that this area is an opportunity site in the County Development Plan and Ennis 2040 and therefore the upcoming public consultation review phase was an opportune time to submit proposals for use.

It was agreed that the most recent research report(s) on the Post Office Field be sourced and circulated to Members.

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

That Ennis MD make representations to the appropriate government departments to develop a decentralization Hub in Ennis and that Clare County Council identity suitable location for housing for same.

***Linda Earlie, Senior Enterprise Development Officer, and Urban McMahon Head of Information Systems, responded as follows****:*

*Clare County Council is committed to the creation of jobs across Clare. Through our “DigiClare “ initiative Clare County Council has established an active network of hubs throughout the county, which we continue to expand in line with the increased remote working trend. The Council is actively engaging with the relevant departments and continues to source funding opportunities, through the Rural Regeneration and Development Fund and the Town and Village Scheme amongst others, to further expand our offering.*

*In relation to Ennis, as outlined in the Regional Spatial and Economic Strategy, Ennis is a key town in the region and, aligned to this, Clare County Council has identified our largest urban centre as a key economic driver in the county. Through the Ennis 2040 Economic and Spatial Strategy, Clare County Council seeks to increase and diversify the local employment base. The strategy proposes the prioritisation of sustainable economic activities that will deliver an additional 5,000 jobs by 2040 and in this regard, nine transformational sites have been identified to support this growth strategy. Within the transformational sites identified, there is opportunity and scope to develop a range of commercial, enterprise and office accommodation suitable for inward investment, start-ups and remote workers or organisations in cities looking to de-centralise to facilitate staff working remotely.*

*The construction of the Ennis Digital Hub is currently nearing completion . This facility will provide remote working facilities, hotdesks, business incubation units, meeting and training rooms. It will be serviced by Hi Speed Broadband connectivity with full Audio Visual and Video Conferencing facilities. In addition, the Council is at advanced stages in the development of an innovation enterprise centre in Ennis offering a dynamic modern facility to attract inward investment and build an eco-system for start-ups in Ennis.*

*Should a Government department wish to de-centralise, the Ennis 2040 Economic and Spatial Strategy will be instrumental in guiding and facilitating suitable locations for such development.*

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

Cllr. Norton welcomed the positive response to this motion, commenting on the Government’s initiative to facilitate more working-from-home of both private and public sector.

It was agreed that the Executive would write to the Office of Heather Humphreys T.D. Minister for Rural & Community Development to highlight Ennis’s viability as a Government Department de-centralisation option.

**Item No. 6 Correspondence**

1. Further to Notice of Motion No 13 from April Meeting of Ennis Municipal District requesting that a subcommittee of the County Joint Policing Committee be established for Ennis (Cllr. J. Flynn), Niamh O’Connor, Administrative Officer, provided Members with a written reply from the JPC Meetings Administrator. The response in summary states that the 2014 legislative basis for a county-wide Committee provides a platform for individual Municipal Districts to request Agenda items on the JPC, or for any elected Member to write to the Committee, but that there is no legislative basis to support a sub committee. Cllr. Flynn commented that this was a very disappointing response. It was suggested that Ennis Members use their united approach to make representations to the JPC and to actively engage with the Gardai on all issues of concern.

**Item No. 7 Any Other Business**

1. Cllr. P. Daly requested consideration be given to reviving the ‘Paint Scheme of Shop Fronts’. It was clarified that the standard paint scheme provides for an amount per municipal district, operated by the Rural Development Directorate. The decision on the specific location will be one for the Members of the MD. Leonore O’Neill will contact Rural Development for an update on the Scheme.

2. Outdoor Dining Enhancement Scheme. Leonore O’Neill briefed the members on the Failte Ireland initiatives:

(i) *Outdoor seating and accessories for tourism and hospitality* (€4k), for outdoor furniture etc. This is administered by the local authority and geared towards businesses where food is sold for consumption on the premises.

(ii) *Weatherproofing and outdoor dining infrastructure scheme* (€200k per LA). EMD currently working with the Chamber and putting a detailed grant application together for Ennis. This will involve road closures at evenings and weekends which were advertised in last week’s newspaper.

3. Date for June EMD meeting & AGM agreed for **Friday 11th June at 2.30pm**

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

4. Mayor of Ennis Paul Murphy took the opportunity to express his gratitude for the support of all members during a strange and difficult year. He expressed his gratitude to the outdoor crews who had taken on a great deal of essential work. He paid tribute to his deputy, Cllr. Mark Nestor. Members individually congratulated the Mayor. Leonore O’Neill thanked Cllr. Murphy on behalf of the executive of Ennis Municipal District adding that it had been a pleasure to work with him during an exceptional year.

Chair Cllr. P. Murphy closed the meeting.

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

Mayor of Ennis

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

Meetings Administrator

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