

Minutes - December 2022
Ennis Municipal District meeting
10:45a.m. on Tuesday 6th December 2022
Council Chamber and on-line

Councillors: P. Murphy, C. Colleran-Molloy, M. Howard, J. Flynn, P. Daly.

Officials: Carmel Kirby, Director of Services, Leonore O'Neill, Senior Executive Officer, Patrick Tiernan, A/Senior Executive Engineer, Niamh O'Connor, Administrative Officer & Meetings Administrator, Lily McInerney, Staff Officer (minutes).

Apologies: A. Norton.

Chairperson Cllr. Colleran-Molloy opened the meeting welcoming all.

Item No. 1. Minutes of the November 2022 Meeting of Municipal District of Ennis

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

Minutes of the Budget Meeting of Municipal District of Ennis held on 8th November 2022

Minutes approved subject to re-wording request from Cllr. Flynn on paragraph detailing Cllr. Flynn's attendance at Budget Meeting.

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

Item No. 2. Matters Arising
None.

Item No. 3. (i) GMA Allocations

Strategic Projects	Amount
Promote Ennis	€20,000

Project	Amounts
Clare Haven (Dr Nadine fundraiser)	€100.00
Brothers of Charity (Dr Nadine fundraiser)	€100.00
Clare Crusaders	€3,671.50
Barefield Tidy Towns	€3,671.50
Gerry Keane – Samaritans Christmas Lighting	€200.00
McTigue Memorial	€500.00

This item was proposed by Cllr. P. Daly, seconded by Cllr. J. Flynn and agreed by all Members.

(ii) 2022 Paint Scheme Reallocation - €2,500 to Old Military Barracks.

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

(iii) Reschedule January Meeting of Ennis Municipal District

January 2023 Meeting of Ennis Municipal District to be rescheduled from Tuesday 3rd January to Tuesday 10th January.

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

Item No. 4. Notices of Motions

No. 1 Notice of Motion submitted by Cllr. C. Colleran-Molloy

Ballyhannon:-

(1) That the necessary road markings be re-installed at Ballyhannon Cross, since when the roads were resurfaced months ago the white lining from the stop signs indicating the stop line were tarred over at Ballyhannon cross. These white lines need to be replaced urgently, in light of a recent incident where a local resident was going down Ballyhannon to Quin when he was struck by a van at the cross who failed to stop at the stop sign.

(2) That "Children at Play" signage be erected further to requests from the residents of Ballyhannon North and South as there are many children in these areas.

Paddy Tiernan, A/Senior Executive Engineer, responded as follows:

- (1) Road markings will to be re-installed at Ballyhannon Cross within the next 7 days.
- (2) The Department of Transport Traffic Signs Manual does not include for "Children at Play" signage. A "Children Crossing" sign is allowed for. Guidance within the Traffic Signs Manual suggest this sign is only to be used in towns and villages. We will seek further advice from the DoT and install "Children Crossing" signs if deemed appropriate by DoT.

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

Cllr. Colleran-Molloy acknowledged the positive response and thanked A/SEE Paddy Tiernan in advance.

No. 2 Notice of Motion submitted by Cllr. J. Flynn

Request for urgent negotiation by Clare County Council with Shannon Group re its impending sale of the critical services and public areas Quin Road Business Park .

In light of pending sale by 14th December 2022 of the essential infrastructure, such as sewerage, roads, etc at the Quin Road Business Park by Shannon Group, Ennis Municipal District Councillors request immediate action by Clare County Council to negotiate with Shannon Group for the orderly transfer of them in order that they remain in Public ownership. It is estimated that the businesses of the Park contribute well over €500,000 commercial rates to Clare County Council annually whilst employing up to 600 staff. The Business Park sewerage infrastructure , including the critical pump house, provides sewerage service to the adjoining Bruach na Habhana estate ,where annual Local Property Tax is paid to Clare County Council by residents , and to various Council owned properties in the Business Park.

Leonore O'Neill, Senior Executive Officer, responded as follows:

Ennis Municipal District are aware of the current proposed sale of certain lands and infrastructure assets within the Quin Road Business Park.

The Municipal District are carrying out a due diligence exercise to provide a proper assessment of the assets in question, their current condition and any maintenance liabilities which may arise. We are also seeking clarity on the exact terms of the sale.

It is important to point out that Clare County Council are no longer a Water Services Authority and therefore the responsibility for the transfer of any water services assets such as watermains , sewers and pumping stations now rests with Irish Water. Irish Water have their own taking in charge procedure for such assets and the Shannon Group can liaise directly with Irish Water on that matter.

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

Cllr. Flynn whilst acknowledging the response, highlighted, that the sale by Shannon Group represented a risk for many of the businesses in the Quin road business park and that it was regrettable that the sale was to go ahead in advance of Clare County Council completing due diligence. He stressed that, as local elected representatives, Ennis M.D. had a remit in advocating on behalf of the businesses and home owners of Bruach na hAbhainn when critical infrastructure is to be taken from the public domain. He requested that the executive write to Shannon Group requesting a deferral on the sale until due diligence is completed by Clare County Council. All Members supported this Notice of Motion.

No. 3 Notice of Motion submitted by Cllr. P. Daly

I request Ennis MD to install a sign (slow down children playing) at the centre of Liosard estate, Roslevan, Ennis

Paddy Tiernan, A/Senior Executive Engineer, responded as follows:

A W 142 "Children Crossing" sign as per the Department of Transport Traffic Signs Manual is more appropriate to this location. This sign will be procured and installed.

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

Cllr. Daly welcomed the response, making reference to the large population of this estate and the requirement for appropriate signage to support the safety of all residents.

No. 4. Notice of Motion submitted by Cllr P. Murphy

I am requesting that Ennis M.D. address two issues of flooding in Knockinamana, Clarecastle. The first occurs just after you enter from the old main Ennis to Limerick road, adjacent to Eircode address V95C85D and is very dangerous, particularly in the hours of darkness as the whole road gets flooded. The second occurs at Eircode address V95EA2H, where huge volumes of water cascade into this property from the public road.

Paddy Tiernan, A/Senior Executive Engineer, responded as follows:

Ennis MD staff will assess the road drainage in this area and install additional road drainage where ponding is an issue.

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

Cllr Murphy acknowledged the response and thanked A/SEE Paddy Tiernan, adding that a solution at the earliest opportunity would be welcome. Cllr Collieran Molloy supported this Motion.

No. 5. Notice of Motion submitted by Cllr. M. Howard

Can Ennis MD produce a list of trees suitable to for planting in an urban setting.

Congella McGuire, Heritage Officer, responded as follows:

Please refer to the following guidance produced by Clare County Council for lists of suitable trees for planting in urban setting.

- Tree Design Guide-for-Towns-and Villages- in County Clare
<https://www.clarecoco.ie/services/planning/publications/heritageconservation/tree-design-guide-for-towns-and-villages-in-co-clare-2017-28115.pdf>
- Buds of the Banner
https://www.clarelibrary.ie/eolas/coclare/heritage/pdfs/buds_of_the_banner.pdf

- And look at the methodology in the Survey of Trees in Towns and Villages of County Clare <https://www.clarecoco.ie/services/planning/publications/heritageconservation/survey-of-trees-in-towns-and-villages-of-county-clare-22398.pdf>

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

Cllr. Howard highlighted the benefits of planting 'suitable' trees in an urban setting and the current issues associated with the historical planting of unsuitable trees in an urban environment. She recommended that Clare County Council advertise and promote the planting of 'suitable' tree types. Cllrs. Flynn and Daly supported this Motion and Cllr Flynn acknowledged the recent pruning of trees in the district, issuing a reminder that 2 overgrown trees in Kincora Park are in need of attention.

No. 6 Notice of Motion submitted by Cllr. C. Colleran-Molloy

"Honest John Purcell" Track at John O'Suillivan Lees Road:-

(1) The track at John O'Suillivan Lees Road is dedicated to world champion "Honest John Purcell" who reigned as world champion and world record holder for long jump, and for hop, step and jump in the 1880s. John Purcell was born in Ballymaley in 1860 and died in San Francisco in 1904.

The existing dedication marker is a plaque imbedded into a rock and is located to the right of the entrance. It was placed there by then Mayor of Clare, Madeline Taylor Quinn & then Mayor of Ennis, Peter Considine in 2009.

Further to request made and the belief that this dedication is not noticed, I ask that EMD personnel examine the feasibility of a more pronounced and visible marker, such as an arch at the entrance to the track.

I am advised that a book is being prepared on the achievements of "Honest John Purcell" which is to be published in the coming months.

It would be opportune to have the book launch at the track where a more visible dedication to the World Champion would have been installed.

Siobhan McNulty, Senior Executive Officer, responded as follows:

John O'Sullivan Park Lees Road is amenable to hosting the book launch at a future date. The issue of a more visible memorial to mark the achievement of John Purcell is, I suggest, best the subject of an application to the 'Memorial Committee' of Clare County Council who oversee such requests.

Liam O'Connor, Administrative Officer, responded as follows:

The placing of a civic memorial as proposed in the notice of motion would be subject to consideration by the Council's Memorial Committee. Any application received will be considered by the relevant staff in the Planning Department and Ennis MD/Active Ennis, before going to the Memorial Committee. If the application is recommended for approval, it will then go to a meeting of Clare County Council for decision.

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

Cllr Colleran-Molloy acknowledged the response and stated she will liaise with the Purcell family and then take the matter to the Memorial Committee as advised in the response. She highlighted the importance of properly commemorating World Champions like John Purcell and Seamus O'Sullivan. All Members present supported this Motion, Cllr Howard recommended an information board detailing the achievements of the athlete. Cllr. Murphy in support, also cautioned in terms of setting a precedent, promoting fair and equal commemoration for all deserving sports people.

No. 7 Notice of Motion submitted by J. Flynn

Ennis Municipal District councillors support the request from the residents association of St Flannans Terrace (1904-12), Ennis, for Clare County Council to draw up Development and Design Guidelines under relevant Planning Legislation for the Terrace which is a designated Architectural Conservation (ACA) under the Clare County Development Plan. Note The procedure for such guidelines is laid out in Section 84 of the Planning and Development Act 2000 (as amended) together with advice on public consultation, enforcement etc.

Helen Quinn, A/Senior Planner, responded as follows:

Section 84 of the Planning and Development Act 2000 (as amended) provides powers to Planning Authorities not only to conserve the character of certain areas but also to require owners and occupiers of properties to conform to a planning scheme. A designation of an Area of Special Planning Control (ASPC) as per Section 84 would generally only be suitable in very particular circumstance and while the architectural value of St. Flannans Terrace ACA is quite significant this designation has not to date been considered as warranted.

It is also important to recognise that there is significant policy support for Architectural Conservation Areas in the Draft Clare County Development Plan 2023-2029 which seeks to protect ACAs from inappropriate developments and to enhance the character of the area. In particular CDP 13.1 and CDP 16.5.

However, given the nature of this request I will commit to the further consideration of the suitability of this ACA for designation as an Area of Special Planning Control(ASPC) and I will engage with the Architectural Conservation Officer with regard to same.

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

Cllr Flynn acknowledged the response and stated that he would hope the outcome of the Senior Planner's further investigation would result in the full designation of Flannan's Terrace as an ACA. This designation would allow for stipulating the use of the ACA guidelines for all future development in Flannan's Terrace, which would be invaluable to current and future residents and would protect this special area from unsympathetic development. This Motion was supported by Cllrs Howard, Murphy and Colleran-Molloy.

No. 8 Notice of Motion submitted by Cllr. P. Daly

I ask Ennis MD to look at the possibility of purchasing or leasing land close by to the town of Ennis that could be used as a pilot scheme for a park and ride centre.

Leonore O'Neill, Senior Executive Officer, responded as follows

Ennis MD will continue to explore the possibility of purchasing or leasing land for the provision of car parking. However, a source of funding would need to be identified for the acquisition and development of any such sites.

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

Cllr Daly acknowledged the funding issue and continued to describe the daily traffic bottlenecks in the town. Cllr Flynn supported the Motion and reminded the meeting that the pending town bus service could potentially remove much traffic from the town centre. Cllr Murphy supported this Motion and recommended that 'Active Travel' would be an appropriate funding mechanism for this initiative.

No. 9 Notice of Motion submitted by Cllr P. Murphy

That road resurfacing from Clareabbey to Barrack Street, Clarecastle (including the junction with Old Road/Church Drive) is carried out as soon as possible.

Paddy Tiernan, A/Senior Executive Engineer, responded as follows:

An application for funding has been submitted to the TII under the Former National Roads Scheme. It is envisaged this road will be re-surfaced in Q2 2023.

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

Cllr Murphy welcomed the response highlighting the requirement for 'levelling off' after the various works. Cllr Murphy advised he intends seeking a low cost safety measure for the busy junction which is prone to accidents. Cllr Collieran-Molloy supported this Motion and stated that Clarecastle residents had shown great forbearance during the upgrade works over the past year and that the resurfacing would bring a beneficial conclusion for locals. Cllrs Daly and Flynn also supported this Motion.

No. 10 Notice of Motion submitted by Cllr. M. Howard

Last spring I asked Ennis MD to conduct a health and safety audit for users of our local parks. Has this audit been completed and if so what were the actions?

Siobhan McNulty, Senior Executive Officer, responded as follows:

In line with the response last March the team at Active Ennis with our MD and gardening section colleagues inspect facilities regularly to ensure they are maintained at optimum standard. We endeavour to upgrade the facilities within the parks as budgets allow and undertake maintenance works as a matter of routine.

Generally there is a rolling list of actions for the team and these are actioned as resources allow. If there are specific concerns relating to a facility please contact the undersigned and we will arrange to address same.

The facilities were reviewed again following this motion and the following is the report:

As previously advised the team works within available budgets to incrementally upgrade the facilities, however, larger projects require specific funding sources and external specialist support. In particular, there are calls for additional lighting within facilities; it is likely that additional lighting will require Part VIII planning permission. The impact of lighting upgrades must be considered with regard to the impact on wildlife and the environment.

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

Cllr Howard acknowledged the response, adding that she had originally raised the idea of a H&S audit of public parks, as critically important to give a sense of safety to all, especially women. She stated that the Fairgreen is particularly dimly lit. Cllr Collieran-Molloy and Cllr Flynn supported this Motion.

Item No. 5 Correspondence

None.

Item No. 6 Any Other Business

- (i) Members joined Chair Clare Colleran-Molloy in congratulating all involved in the 'Switching on of Christmas Lights' event on Friday 25th November adding that Abbey Street Car Park had proved a safe and suitable venue while also acknowledging the strong attendance from Ennis M.D. members. Cllr Howard added that the Christmas "Bus" had been a novel idea and the evening had been a very positive one for all who attended. Cllr Flynn added that Abbey Street Car Park was the best available venue and he also commended the success of the Christmas Village 1st-4th December. Cllr Daly commended the venue and the success of the evening.
- (ii) Cllr Howard promoted Gerry Keane's Christmas Lighting extravaganza across from the Auburn Lodge on the Gort Road, as it raises money for charity.
- (iii) Members joined Cllr Howard in extending sympathy to the Coffey family on the recent passing of Helen Coffey, R.I.P.
- (iv) Members joined Cllr Howard in extending sympathy to the family of the late Ann Griffin R.I.P, originally of the Square in Ennis, and who had passed away unexpectedly. Sympathy is extended to her sisters Una and Carmel, and her brothers Ger and Aidan.
- (v) Members joined Cllr Howard in extending sympathy to the family of the late Tom Roughan.
- (vi) Members joined Cllr Murphy in extending sympathy to the Shannon family following the death of Anne Shannon of St. Joseph's Terrace, Clarecastle, R.I.P.

The Meeting ended at 11:52 a.m.

Signed: 
Mayor of Ennis

Signed: 
Meetings Administrator

Date: 10/01/23