

Minutes - September 2023

Ennis Municipal District meeting

10:30a.m. on Tuesday 5<sup>th</sup> September 2023

Council Chamber and on-line

**Councillors:** P. Daly, T. O'Callaghan, P. Murphy, C. Colleran-Molloy, M. Howard, J. Flynn, A. Norton.

**Officials:** Carmel Kirby, Director of Service, Leonore O'Neill, Senior Executive Officer, Eamon O'Dea, Senior Executive Engineer, Patrick Tiernan, A/Senior Executive Engineer, Lily McInerney, Staff Officer (minutes).

**Apologies:** Niamh O'Connor, Administrative Officer and Meetings Administrator.

Chair Cllr. Pat Daly opened the meeting welcoming all.

**Item No. 1.** (i) **Minutes of the July 2023 Meeting of Municipal District of Ennis held on 29<sup>th</sup> June 2023.**

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

(ii) **Minutes of the Annual General Meeting of Municipal District of Ennis held on Monday 29<sup>th</sup> June 2023.**

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

**Item No. 2.** **Matters Arising**

(i) Cllr Flynn raised the issue of the impact on tourism of the loss of Experience Ennis and the need to drive the implementation of the Niche Destination Plan. Director of Service Carmel Kirby clarified that a tourism strategy is in place for Clare and that a number of communications are in the offing regarding Ennis.

(ii) Cllr Howard reminded the meeting of her adopted Notice of Motion to partake in a kayaking outing in September and she requested this is arranged at the earliest convenience while weather remains favourable.

### **Item No. 3.**

3. (i) Section 38 Proposed Low Cost Safety Scheme at Summerhill, Ennis.

Report and maps had been circulated in advance of the Meeting.

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

- (ii) Section 38: Proposed Low Cost Safety Scheme for Old Mill Street, Ennis.

Report and maps had been circulated in advance of the Meeting.

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

Patrick Tiernan, A/Senior Executive Engineer, clarified that consultation had taken place with local businesses with copies of maps circulated and no submissions had been received.

- (iii) Section 38: Proposed Traffic Calming Measures at Clonroadbeg, Clonroadmore & Lifford, Ennis.

Report and maps had been circulated in advance of the Meeting.

As the maps for items (e) and (g) had been inadvertently omitted from some of the packs circulated to Members, it was agreed that only those items for which maps had been circulated would be agreed at this Meeting. The remaining items (e) and (g) would be deferred to October Meeting.

Patrick Tiernan, A/Senior Executive Engineer clarified for Members that these pedestrian crossing upgrades are part of the Co-creating project, and due to successful draw down and completion of 9 upgrades early in 2023, an additional €250k has been secured from NTA, allowing for 9 more to be completed. It was clarified that the works subject to this Section 38 before Members will be not be completed until 2024.

***Section 38 Items a, b, c, d, f and h were proposed for approval by Cllr. C. Colleran-Molloy, seconded by Cllr T. O'Callaghan, and agreed by all Members.***

- (iv) Date of October 2023 Ennis M.D. meeting

Cllr P. Daly proposed Tuesday 10<sup>th</sup> October, 10:30am in Council Chamber and on-line.

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

**Item No. 4 GMA for approval**

Cllr. Flynn withdrew from the meeting, during discussion around allocation of GMA to Clare County Agricultural Show. He advised that meeting that whilst he had no financial benefit, he wished to avoid a potential perception of conflict of interest. Cllr Daly queried if there were any other conflicts of interest and it was confirmed to the meeting that there were none.

***The following items were proposed by Cllr. C. Colleran-Molloy, seconded by Cllr. P. Murphy and agreed by all Members.***

Councillor-Specific Allocations:

<b>Beneficiary</b>	<b>Amount</b>
Kilnamona Development Association	€500.00
Lifford FC Project (Provision of Accessible and Childrens Toilets)	€3,000.00
Clare Ladies Footballers (All Ireland Costs)	€700.00
Co Clare Agricultural Show	€500.00
Honest John Purcell Memorial Event	€1,522.06
Ennis Men's Shed, Quin Road	€1,000.00
Sláinte an Chláir, Kilnamona	€1,000.00
St Michael's Villas 70th Anniversary Celebrations	€1,000.00
Ennis Musical Society	€2,000.00
Peoples Park/Clarecastle Exercise Equipment	€6,591.39
Bushypark Treatment Centre	€1,000.00
<b>Total:</b>	<b>€18,813.45</b>

***The following item was proposed by Cllr. C. Colleran Molloy, seconded by Cllr. M. Howard and agreed by all Members:***

<b>Beneficiary</b>	<b>For</b>	<b>Amount</b>
Ennis Chamber of Commerce	Purple Flag Renewal fee	€1,185.00

## **Item No. 5. Notices of Motions**

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

Bramble Lane.

I have received a number of representations regarding speeding within this estate, is it possible to place speeds bumps (or other traffic calming method) in the cul de sac area where houses 47 through to 81 are located?

#### ***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will investigate the issue and if justified will propose a suitable traffic calming measure for this area. We wish to advise that Section 38 approval is required for any proposed traffic calming measure. A funding source will also have to be identified for the scheme.*

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

Cllr Howard acknowledged the response and outlined the benefit of traffic calming in this estate where noise and speed of traffic negatively affects quality of life for residents, especially for the many young families resident here.

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

In light of public concern over increased anti-social and criminal activity in the Ennis Municipal District (EMD), I seek the support of fellow elected members of EMD, in requesting that the Clare Joint Policing Committee (JPC) consider setting up a sub-committee within the structure of the Clare JPC, to focus on these Ennis MD issues. Such a sub-committee is allowed for under related JPC legislation and guidelines.

The loss of the successful Ennis JPC in 2014 which had operated effectively and efficiently since 2009 has I believe been detrimental to crime prevention and public safety in Ennis Town Centre, suburbs and wider municipal district. The former Ennis JPC enabled focused positive collaboration, connection and support of local Ennis businesses and residents with and of the Gardai. Large Urban centers of 25,000 population like Ennis and its municipal district face significantly different policing and public safety challenges to more rural municipal districts.

**No response required.**

***This item was seconded by Cllr. T. O'Callaghan***

Cllr Flynn outlined how current difficulties being experienced in Ennis warrant the establishment of a Joint Policing Committee sub-committee to specifically focus on the distinctly urban issues of concern. Cllr O'Callaghan supported the Motion also vouching for the success of the former Ennis JPC and the importance of getting to the root of these issues before they escalate. Cllr Norton reminded the Meeting that this item was previously raised and that the current format allows for each Municipal District to be represented at county JPC and that Ann herself, as the Ennis rep, is doing all that is possible to bring issues of concern for Ennis forward via this platform. She, however, did suggest that a meeting of Ennis Members with An Garda Siochana may be of benefit. Cllr Colleran-Molloy stated that she would not be in favour of establishing a sub-committee but agreed that a meeting of Ennis Members with An Garda Siochana may answer some of the current issues of concern and which may be the most appropriate action in reference to her own Notice of Motion (No. 3). Cllr Howard reminded the meeting that it had been clearly outlined that legislation does not allow for a JPC sub committee and that the JPC was very broad ranging and well represented and she

referenced that Gardai have recruitment and retention issues and therefore further committees was not feasible and she suggested a joint Motion at County level to the Minister. On Senior Executive Officer, Leonore O'Neill's suggestion, Cllr Murphy was in agreement that an invite be extended to Superintendent John Ryan in October to meet with Ennis Members rather than seeking a sub committee. Director of Service, Carmel Kirby, thanked everybody for the contributions to this important issue and that a discussion with the Superintendent would allow for current concerns and issues to be raised, including the feasibility of a sub-committee.

**It was agreed that this Notice of Motion would be deferred to October Meeting, and that a meeting of Members with An Garda Siochana would be sought in the meantime. After this Meeting Cllr Flynn will be facilitated to again put this Motion forward for consideration.**

**No. 3 Notice of Motion submitted by Cllr. C. Colleran-Molloy**

That the EMD communicate with the Gardai to establish what efforts are underway to address the ongoing and accelerating antisocial behaviour in Ennis.

**No Response Required.**

Cllr. Colleran-Molloy confirmed that she was in agreement that this Motion would be addressed via the meeting to be arranged by the executive between An Garda Siochana and Ennis Members, as referenced under Notice of Motion No. 2.

**No. 4 Notice of Motion submitted by Cllr. A. Norton**

Can the Ennis MD do a survey on their amenities to make sure they are complying with all disabilities requirements and also to see if any new up to dates would make amenities more disability friendly.

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

*Regarding Sports & Recreation, the following outlines what is in place for facilities under our remit. We are the only swimming Pool in Munster with both a disability lift on the pool deck and in the changing rooms. Our Gymnasium is disability compatible. Disability Toilets are also provided. A lift is in operation for access to the lower ground in the Pool.*

*We have been awarded a 'Gold Standard' in Disability Awareness by the White Flag of Excellence from Ireland Active, with wheelchair level lockers, signage for parking spaces informing users to call for assistance if needed. Parking Spaces designated for disabilities and hidden disabilities. Access to the use of a wheelchair in our reception lobby.*

*Playgrounds with equipment compatible for people with disabilities. We are in the process of installing a 'Ability Swing' in Active Ennis Tim Smythe Park, which also provides a 'Changing Places' facility for use by people with disabilities.*

***This item was seconded by Cllr. T. O'Callaghan and agreed by all Members.***

Cllr Norton acknowledged the positive response, outlining the importance of inclusivity and ensuring that those with disabilities are catered for. She commended the standards achieved by Active Ennis. This Motion was well supported and Councillors O'Callaghan, Colleran-Molloy and Flynn, commenting on the importance of high standards for all and that the public realm works also serve to support inclusivity.

#### **No. 5 Notice of Motion submitted by Cllr. T O'Callaghan**

Ballybeg Woods Entrance

I welcome the extensive improvements to footpaths and lighting from Rockmount Cross to Kildysart Cross, but express serious concerns to the wellbeing of pedestrians due to cars parked on and off road at the Ballybeg Wood Entrance. A Health and Safety review by Clare County Council is urgently needed in the interest of public safety.

#### ***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will investigate the issue to determine the extent of the problem. It is disappointing that members of the public park at this location given that a public car park capable of accommodating in excess of 20 cars is available at the entrance of Ballybeg Woods. We also wish to advise that parking on a public footpath is illegal with offenders subject to a fine of €80. A fixed charge notice can be issued by both Traffic Wardens and An Garda Síochána. We will liaise with both parties in relation to the issue on Clonroadbeg.*

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

Cllr O'Callaghan, in acknowledging the response, highlighted how the success and popularity of the amenity has served to exacerbate the parking issue, and suggested potential for a small car park nearer the entrance, or at the least for the upgrade of the existing car park which is a little distance away. Cllrs Collieran Molloy supported this Motion but recommended all efforts be made towards better use of existing car park and Cllr Murphy also supported the Motion commenting that Garda fines may be the only deterrent available for illegal parking. Members voiced support for this Motion and it was agreed that signage and maintenance would help increase usage of the existing car park.

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

That local flooding issues adjacent to the following dwellings are addressed as soon as possible,

- i) Halpin and O'Grady, Claremount, Clarecastle.
- ii) O'Flynn, Killow, Clarecastle.
- iii) Mc Connologue, Ballybeg, Clarecastle.

#### ***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will carry out an assessment at these properties. We will also examine the most recent planning application associated with the individual sites listed above in order to determine responsibilities. Where relevant we will assign a crew to resolve the drainage issues. It is envisaged all appropriate site works will be carried out before the end of November.*

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

Cllr Murphy acknowledged the response, adding that the areas in question are historical issues of concern and which have worsened over time and therefore any drainage remedy that can be sought will be welcomed. Cllrs Collieran-Molloy and Daly supported this Motion.

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

I ask Ennis MD to consider exiting traffic from Parnell Street carpark via Old Friary Lane (adjacent to AIB bank) on a trial basis as traffic exiting Salt House Lane, Upper Parnell Street and High Street onto the Square is causing major traffic congestion.

***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*The current routing provides important vehicular connectivity between Abbey St/Abbey St Car Park and the Harvey's Quay/Wood Quay area. Whilst a reversal of the current routing would relieve congestion at the Square it would also increase traffic volumes on Bank Place and Bindon Street.*

*We wish to advise the upcoming public realm works will involve a number of traffic diversions and changes to routing through the town centre during the construction period. During this project traffic flows will be reversed on Old Friary Lane to facilitate the construction works. Ennis MD will examine the effect of this on vehicular traffic once the reversal is implemented. It is our opinion it would be inappropriate to carry out a trial in advance of this project.*

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

Cllr Daly acknowledged the responses but reiterated that there is a health and safety issue at Salthouse Lane and some intervention was required. Patrick Tiernan, A/Senior Executive Engineer, responded that the routing suggested by Cllr Daly may happen naturally as a consequence of the upcoming public realm works which will involve various phased diversions during the course of the works. This item was supported by Cllrs Norton and Flynn.

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

I request Ennis MD investigate funding streams (ie Blueway Funding) to allow for the construction of a floating pontoon or jetty at the island by the hurler's park at the Maid of Eireann /Island Carpark.

***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Water Services Ireland and the Emergency Services would be required to carry out an assessment of any proposal in terms of water safety measures at this location. Ennis MD will liaise with both parties regarding same. Subsequent to these discussions it can be then determined whether a funding application is required.*

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

Cllr Howard acknowledged the response and highlighted the recent case where persons had voluntarily entered the river in order to save a life and that it would be prudent to have a safeguard in place to allow for ease of evacuation from the water and to circumvent the risk of moving further downstream towards the salmon weir. Cllr Flynn in support referenced a request some ten years back which had resulted in the placement of ladders at access points along the river. Cllr O'Callaghan also supported the Motion stating that emergency and leisure aspects were of importance for the river.

**No. 9 Notice of Motion submitted by Cllr. C. Colleran-Molloy**

That Ennis Municipal District visit the Drumcliff Graveyard the main County Graveyard to assess its condition. Based on my own assessment and the assessment & opinions shared by the public, it is in a very very poor state. Given this and reflecting the importance of respecting our community's departed, I am asking for an explanation at why such a deterioration and what steps will be taken to bring its condition to acceptable standards.

***Joe Spellissy, Senior Staff Officer, responded as follows:***

*Due to the inclement and unseasonal weather conditions prevailing between mid-June and mid-August 2023, grass cutting in Drumcliff Cemetery and in particular the older section had fallen behind the normal maintenance schedule that one would expect at this time of the year .*

*Within the last two weeks, normal maintenance including grass cutting has resumed .  
The grass cutting across the entirety of Drumcliff Cemetery has recently been completed and a further tidy up is planned by the grass cutting contractor in early September, weather permitting.*

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

Cllr Colleran-Molloy highlighted how the inclement Summer weather had contributed to the unkempt appearance and that she was relieved to receive the positive response. She added that she would be looking at current policy and is hopeful that an upgrade will be possible for all County graveyards. Cllr Howard supported this motion adding that the varying levels of the graves at Drumcliff add a complication to maintaining it. Cllr Daly supported this Motion also.

**No. 10 Notice of Motion submitted by Cllr. J. Flynn**

I request a report from Clare County Council Social Development Directorate , who are responsible for delivery of the Social Housing brief, on how many tenants in the Ennis Municipal District have been brought to court, refused housing or evicted under the Council's Anti Social Behaviour Policy. Such tenants often referred to by the frustrated communities, who are traumatised and feel abandoned by the impact of the persistent anti social behaviour, they live in as “ neighbours from hell “

***John Corry, Administrative Officer, responded as follows:***

*Clare County Council has been very proactive in dealing with anti social behaviour since the adoption of the current Anti Social Behaviour Strategy in March 2021. Each anti social behaviour complaint received is investigated & dealt with in accordance with the Strategy & the Housing [Miscellaneous Provisions] Act 2014 by our Estate Management and Tenancy Enforcement teams. This year to date we have received 504 anti social behaviour complaints with a total of 101 Tenancy Notifications & Warning Letters issuing in accordance with the Strategy. In addition 3 qualified housing applicants have been suspended from using CBL since the adoption of the Strategy because of anti social behaviour concerns. Where official Warning Letters issue for repeated breaches of tenancy or anti social behaviour we seek court repossessions and two such repossessions have been sought for the Ennis Municipal District in 2023.*

*The Tenancy Enforcement team carry out continued patrols of Local Authority housing estates and Traveller sites and have a very visible presence to manage and mitigate against complaints of antisocial behaviour with over 7,100 observations of tenancies as part of these patrols in the year to date. The working hours of the TEO team are flexible to meet required need, involving working after hours and weekends as the need dictates. The TEO team can be contacted out of office hours, should the need arise, by contacting the Council Emergency Phone no. (087) 4169496.*

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

Cllr Flynn acknowledged the comprehensive response, adding that anti-social behaviour issues had escalated due to a combination of factors over the past few years. He added that there is a low awareness generally within the general public as to the tenancy enforcement team and their remit. Cllr Colleran-Molloy supported this Motion stressing that it is a minority who cause problems for the many and that current legislation is poor in terms of effective Court injunctions. All Members supported this Motion, Cllr Murphy highlighting the leniency and bias towards offenders, Cllr Daly noting that just 2% of cases reach Court. Cllr Norton added that she would be calling for changes in legislation in support of effective judicial outcomes in these cases.



**No. 11 Notice of Motion submitted by Cllr. A. Norton**

Can the Ennis MD roads department make sure that roads and green areas on all N roads are given priority before the winter comes in and causes extra pounding and overgrown greenery.

***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Ennis MD commits to inspecting these routes and will intervene where necessary. With regard to hedge cutting the municipal district will generally only intervene at dangerous locations, on approaches to towns and village and to ensure visibility of signage. We also wish to advise that Section 70 of the Roads Act, 1993 stipulates that all growth emanating from any part of the roadside boundary structure or from within the land protected by same is the responsibility of the landowner. Clare County Council recently announced a Community Hedge Cutting Grant Scheme which will provide financial assistance to landowners in complying with their responsibilities.*

***This item was seconded by Cllr. T. O’Callaghan and agreed by all Members.***

Cllr Norton acknowledged the response, highlighting the negative impact of inclement weather on roads and the importance of roads being rendered a safe as possible before Winter. Cllr O’Callaghan supported this motion and noted the importance of raising public awareness of the hedge cutting grant.

**No. 12 Notice of Motion submitted by Cllr. T O’Callaghan**

Lane Resurfacing

Lane between Steele Terrace and Marion Avenue

I request Clare County Council resurface Lane due to significant potholes throughout.

***Patrick Tiernan, A/Senior Executive Engineer, responded as follows:***

*Ennis MD have recently inspected this lane which is called ‘The Boreen’. We wish to advise that the potholes have been filled within the last week. It is the intention of Ennis MD to propose this lane for resurfacing under the Roads Works Programme for 2024.*

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

Cllr O’Callaghan welcomed the response and was pleased to see that this well used roadway was given the attention required and that residents would welcome these remedial works. Cllr Flynn, in support, reminded the meeting that this is a historical route used by walkers and motorists and heavy vehicles also use it. The Motion was supported also by Cllrs Norton and Daly.

**No. 13 Notice of Motion submitted by Cllr. P. Murphy**

That Ennis Municipal District prioritise purchasing ground in order to provide a new material storage yard that can serve Clarecastle and the Southern side of Ennis.

***Patrick Tiernan, A/Senior Executive Engineer responded as follows:***

*Ennis MD are actively pursuing potential sites for a new material storage yard. Together with our colleagues in the Planning Department we have identified a number of sites across Ennis that may be suitable for such a facility. To date we have liaised with several landowners and we expect to make progress on this matter in Quarter 4 of 2023.*

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

Cllr Murphy acknowledged the response and added that he would welcome any potential to engage with the landowner and it was crucial to be in a position to exit the current site which was falling into dereliction. Cllr Colleran-Molloy supported the Motion and added that it was positive that an alternative site was being sought.

**No. 14 Notice of Motion submitted by Cllr. P. Daly**

I ask Ennis MD to upgrade the road from Doora Church to Doora School as presently it is not in good condition.

**Patrick Tiernan, A/Senior Executive Engineer, responded as follows**  
*Ennis MD will carry out an inspection of this road in the coming weeks. If deemed appropriate we will consider this road for resurfacing under the Roads Works Programme for 2024.*

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

Cllr Daly welcomed the positive response and would look forward to a positive outcome. This Motion was supported by Cllrs Colleran-Molloy and

**Item No. 6. Correspondence**

None.

**Item No. 7. Any Other Business**

- (i) Cllr Howard informed Members that the 2023 Twinning Anniversary Celebrations Itinerary had been circulated to them and that there were many events taking place from Monday 11<sup>th</sup> September through Thursday 14<sup>th</sup> September which they would be welcome to partake in.
- (ii) Members joined Cllr. Howard in extending sympathy to the families of the late:
  - Gerry Ruttle, R.I.P, famed for his hair salon business
  - Raymond Casey R.I.P.
  - Eoin McInerney R.I.P.
  - James Guilfoyle R.I.P.
  - Brian Kelly Malle R.I.P.
  - Niamh Collins R.I.P.
  - Sean Shannon R.I.P, who had passed away tragically in Slovenia.

Thoughts of all Members are with the families at this sad time.

- (iii) Members joined Chair Pat Daly in extending sympathy to the family of the late Brian Fitzgerald R.I.P, a great Éire Óg player, and to the family of the late James Guilfoyle R.I.P.
- (iv) Paddy Tiernan, SEE, responded to Cllr Flynn's query regarding the traffic tailback at the Gort Road which he explained was due to the current line-marking works, acknowledging that the contractors had left some room for improvement in their approach on this occasion, but that this work was due to finish today.
- (v) Paddy Tiernan, SEE, will respond to Cllr Flynn's query as to why there has been incidents of parking on footpaths in Park Avenue.
- (vi) Cllr Colleran-Molloy highlighted the *Edna O'Brien* mural painting in Woodquay, commending the work of the artist.
- (vii) Cllr Daly commended the recent clean-up of Corovorrin graveyard.
- (viii) Paddy Tiernan, SEE, provided an update upon Cllr Murphy's request regarding his July Notice of Motion on progress with the 343 Bus Route in Clarecastle. The July Road Safety Audit recommended movement of the bus stop and the design is now finalized. NTA are now going out to tender re construction with timescales between 5 and 7 months. Specific dates will be provided once received from NTA.

The Meeting ended at 12:31p.m.

Signed: Pat Daly MCC  
Mayor of Ennis

Signed: Nicola O'Leary  
Meetings Administrator

Date: 24/10/23

