

**Minutes of Meeting of the Killaloe Municipal District held on Wednesday, 21<sup>st</sup> January, 2015 at 3:00 p.m. in the offices of the Municipal District at Mountshannon Road, Scariff.**

**In attendance:** Cllr. Joe Cooney  
Cllr. Pat Hayes  
Cllr. Michael Begley  
Cllr. Pat Burke  
Cllr. Tony O'Brien  
Cllr. Alan O'Callaghan

**Officials:** Mr. Michael McNamara, Senior Executive Officer  
Mr. Hugh McGrath, Senior Executive Engineer  
Mr. Kieran O'Donnell, Administrative Officer  
Ms. Pauline Costelloe, Staff Officer

**Item 1 Minutes of Killaloe Municipal District Meeting held on 19<sup>th</sup> November, 2014.**

The minutes of the Killaloe Municipal District Meeting held on 19<sup>th</sup> November, 2014 were adopted having been proposed by Cllr. P. Burke and seconded by Cllr. P. Hayes.

**Item 2 Date for next meeting.**

It was agreed that the next meeting will take place on the 25<sup>th</sup> March, 2015 at 3:00 p.m.

**Item 3 Attendance of An Garda Siochana.**

The Chairperson, Cllr. J. Cooney welcomed Chief Superintendent John Kerin, Superintendent Derek Smart and Inspector John O'Sullivan to the meeting. He thanked them for making themselves available to attend the meeting of Killaloe Municipal District. Chief Supt. J. Kerin in return thanked the members for the invitation to attend the meeting. He gave a detailed presentation on crime figures for 2014 and also outlined the corresponding figures for 2013. Of the 11 broad crime categories, 5 have decreased by a total of 179 crimes while 6 have increased by a total of 94 crimes. He also compared the 2014 figures with the corresponding 2008 figures. This comparison showed a reduction of 33% of crime figures during this six year period. He

also outlined figures for the various districts in the county. He advised the members that there had been three fatal road accidents during 2014 with a total of 856 road traffic accidents recorded in the county.

He outlined a reduction in resources available to him in the county with 53 Gardai retiring since 2010. A further two have died with two more resigning. He outlined reasons for the changes to the opening hours of individual Garda Stations but expressed his confidence that these changes would not affect crime figures in these localities.

The members thanked Chief Supt. J. Kerin for his detailed presentation and sought clarification from the Gardai present on a number of areas including:

- Opening hours and future staffing of rural garda stations
- Availability of garda cars in the county
- Night-time shooting of deer/animals
- Reasons for seizure of cars
- Opening hours of Tulla Garda Station
- Fuel and cattle theft
- Use of social media in solving crimes
- Role of Community Alert Groups.

Cllr. J. Cooney, on behalf of the members, thanked John and his team for attending the meeting.

#### **Item 4            Schedule of Municipal District Works.**

Michael McNamara, referred to the Circular which had been sent to the members in recent weeks and advised the members that a detailed report would be before them for the March meeting.

#### **Item 5            Notice of Motion submitted by Cllr. A. O'Callaghan.**

“In the interest of road safety that Clare County Council would address the dangerous dip in the road between Kilmurry and Quin on north bound lane outside Martin Murphys house.”

Proposed by: Cllr. A. O'Callaghan

Seconded by: Cllr. J. Cooney

#### **Hugh McGrath, Senior Executive Engineer replied as follows:**

“This refers to the R469 near Teereen Lough in Rathluby\Drumullen. Consideration will be given to carrying out localised repairs at this location where it is not prioritised for reconstruction in the short term. A review of the alignment relative to the appropriate speed limit will also be considered at the next opportunity.”

**Item 6 Notice of Motion submitted by Cllr. A. O’Callaghan.**

“Ask Clare County Council to come up with a solution with an issue of water exiting Pat Hannon’s gate on the R471 at Truagh which in on going for some time.”

Proposed by: Cllr. A. O’Callaghan  
Seconded by: Cllr. M. Begley

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“The landowner as referred to has again been issued notification from this office under Section 76 of the Roads Act 1993, with regard to his legal obligations. Damage is being caused to the R471 public road in this area by water being allowed to flow from lands. Where there is a breach of such obligations the negligent landowner may be prosecuted and liable to any public liability claims that could arise.

*[Section 76 of the Roads Act 1993 obliges landowners and occupiers of lands to take all reasonable care to ensure that water, soil or other material from their land/s is prevented from flowing or falling onto a public road.]”*

**Item 7 Notice of Motion submitted by Cllr. A. O’Callaghan.**

“Ask Clare County Council in future to circulate by email any grants that are available for schemes in 2015.”

Proposed by: Cllr. A. O’Callaghan  
Seconded by: Cllr. J. Cooney

**Michael McNamara, Senior Executive Officer replied as follows:**

“The current practice is that grants being provided by the Council would be advertised through local media.

All sections will be advised to send details of grants including closing dates to the elected members via e-mail in the future.”

**Item 8 Notice of Motion submitted by Cllr. P. Burke.**

"Calling on Clare County Council to deal with the problem of water ponding at times of heavy rainfall outside Cois na Habhna public house on Main Street, Mountshannon."

Proposed by: Cllr. P. Burke  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“At the next opportunity measures will be taken to address this issue.”

**Item 9 Notice of Motion submitted by Cllr. P. Burke.**

"Calling on Clare County Council to repair the wall of the Bridge on the L-4018 at Middleline, Mountshannon in the interest of safety."

Proposed by: Cllr. P. Burke  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“At the next opportunity measures will be taken to address this issue.”

**Item 10 Notice of Motion submitted by Cllr. P. Burke.**

"Calling on Clare County Council to examine ways of improving the visibility at the Junction where the L-80522 meets the R-461 at Derrymore, Scariff."

Proposed by: Cllr. P. Burke  
Seconded by: Cllr. P. Hayes

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“It is accepted that visibility could be improved (on the western direction at least) on this junction exiting this road onto the R461, it is also noted that measures to improve this junction are within the control of and can be addressed by the landowner through hedgerow trimming and/or set back of the boundary. We are supportive of any such measure the landowner may wish to discuss.

*[Section 70 of the 1993 Roads Act obliges landowners and occupiers of lands to take all reasonable care to ensure that the trees, hedges and other vegetation growing on their lands are not or could not become a danger to people using or working on the public road.]”*

**Item 11 Notice of Motion submitted by Cllr. T. O’Brien.**

“That road repairs and resurfacing works be carried out at Johns Lane, Killaloe.”

Proposed by: Cllr. T. O'Brien  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“The L-3098 John Street Killaloe has been damaged by recent works on behalf of Irish Water. We have been in contact with Irish Water to ensure these repair works are properly and urgently permanently reinstated.”

The members agreed to raise this matter with Irish Water during the meetings scheduled for February.

**Item 12 Notice of Motion submitted by Cllr. T. O'Brien.**

“That works be carried out on the road between Kildooras and upper Ardnataggle, Bridgetown to alleviate persistent flooding and damage to the said road, and also to include in the work flooding relief for the R-463.”

Proposed by: Cllr. T. O'Brien  
Seconded by: Cllr. M. Begley

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“The L-70361 is a local Tertiary road of over 1.3km that loops from the R463 via a short section of the L3070 at Ardataggle. Damage is being caused to this road from drainage issues within the responsibility of local landowners. This office has issued correspondence to such landowners in recent weeks and are pursuing the matter.

*[Section 76 of the Roads Act 1993 obliges landowners and occupiers of lands to take all reasonable care to ensure that water, soil or other material from their land/s is prevented from flowing or falling onto a public road.]”*

**Item 13 Notice of Motion submitted by Cllr. T. O'Brien.**

“That the R-463 be resurfaced as soon as possible between Shantraud Wood and Cloonfadda.”

Proposed by: Cllr. T. O'Brien  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“We are currently assessing the infrastructure in order to identify priorities for the multi-annual roadworks programme. This road is under consideration for improvement works in the upcoming programme.”

**Item 14 Notice of Motion submitted by Cllr. M. Begley.**

“That an overlay of the road between Clonlara Village and the entrance to the Clonlara sewerage pumping station just west of Clonlara Sports Centre (L3058) be included in the 2015 Roads Programme.”

Proposed by: Cllr. M. Begley  
Seconded by: Cllr. T. O’Brien

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“We are currently assessing the infrastructure in order to identify priorities for the multi-annual roadworks programme. This road is under consideration for improvement works in the upcoming programme.”

**Item 15 Notice of Motion submitted by Cllr. M. Begley.**

“That provision be made in the Roads Programme for the first phase of extending the footpath from Bonners Pub to John Fennessy's house (approx.) in O'Briensbridge.”

Proposed by: Cllr. M. Begley  
Seconded by: Cllr. T. O’Brien

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“There is no specific grant available for provision of new footpaths in the Roadworks programme.

Where possible, we provide a limited amount of discretionary budget annually for remedial works to existing paths in the various villages and towns. However, due to the extremely limited availability of such resources, the construction of new footpaths is not normally possible without external financial assistance.

However, where significant resources are made available to this office by grants, whether through the planning system or otherwise, or as is the case more recently via the excellent community led initiatives as carried out in Tuamgraney and Ogonnelloe we are as always available to provide whatever assistance or resources we can.”

**Item 16 Notice of Motion submitted by Cllr. M. Begley.**

“That speed control measures be put in place between Glór na Shrutha (new social housing development) and the village junction in Clonlara, as many young children are in danger from speeding particularly by "visitors" to the two estates on this road.”

Proposed by: Cllr. M. Begley  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“Excessive speed should be reported to An Garda Siochana. “Visitors” should be addressed directly by the residents (association). Once these measures are undertaken we will review the issue again.”

**Item 17 Notice of Motion submitted by Cllr. J. Cooney.**

“That Clare County Council outline their plans for maintenance of local and minor roads in the Killaloe municipal district for 2015 and will L7023 in O’Callaghan’s Mills be included in the 2015 Roads Programme.”

Proposed by: Cllr. J. Cooney  
Seconded by: Cllr. P. Burke

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“We are currently assessing the infrastructure in order to identify priorities for the multi-annual roadworks programme. This road is under consideration for improvement works in the upcoming programme.”

It was agreed to discuss Items No. 18 and 20 together as they related to the same issue.

**Item 18 Notice of Motion submitted by Cllr. J. Cooney.**

“That Clare County Council carry out re-surfacing works on Carrowmore Road, Scariff as it is in a very bad condition.”

Proposed by: Cllr. J. Cooney  
Seconded by: Cllr. P. Burke

**Item 20 Notice of Motion submitted by Cllr. P. Hayes.**

“I propose that the Coolenbridge via Poulagower to Aughrim, Scariff Road be included in the 2015 Roads Programme as it is in a very poor condition at present.”

Proposed by: Cllr. P. Hayes  
Seconded by: Cllr. P. Burke

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“The L-8050 at Poulagower and Capparoo has been considered for funding application in previous years and is again under consideration for improvement works in the upcoming multi-annual programme. However, where landowners are negligently allowing any road to be continuously damaged as is the case here we have an obligation to protect public investment in considering whether to upgrade any road. While damage is being allowed to continue we will prioritise resources to other roads where value for money can be achieved.

Measures to prevent damage being caused to this road from drainage issues are within the control and responsibility of local landowners. This office has met with and issued correspondence to local landowners on this matter over the past few years with no improvements carried out to date, and subsequently no funding can be assigned until these issues are addressed.

*[Section 76 of the Roads Act 1993 obliges landowners and occupiers of lands to take all reasonable care to ensure that water, soil or other material from their land/s is prevented from flowing or falling onto a public road.]”*

**Item 19 Notice of Motion submitted by Cllr. J. Cooney.**

“That Clare County Council give an up to date on the Ballycar flooding and when the road works that are proposed are going to commence.”

Proposed by: Cllr. J. Cooney  
Seconded by: Cllr. A. O’Callaghan

**Hugh McGrath, Senior Engineer replied as follows:**

“While some works were carried out on the maintenance of drainage channels in this area in 2014, completion of the proposed improvements to the public road in Ballycar are reliant on agreements being in place with landowners. Subject to this it is expected that the works will be complete in 2015.”

**Item 21 Notice of Motion submitted by Cllr. P. Hayes.**

“I propose that a review of the gritting programme take place and a number of key regional roads be included, Feakle to Scariff, Bodyke to Broadford routes and any other strategic areas.”



Proposed by: Cllr. P. Hayes  
Seconded by: Cllr. J. Cooney

**Tom Tiernan, Senior Engineer replied as follows:**

“When the last significant review was carried out approximately 3 years ago, a number of extensions were added to the previously pertaining Winter Maintenance Schedule. Review of the current schedule could only mean possible extension of same as it would not be appropriate to remove any of the existing road segments from it. In general where Regional or other strategic routes are omitted from the schedule, there is an alternative route available – albeit somewhat longer in each case. The schedule of roads being serviced at the moment is on a par with other local authorities and is consistent with the level of service expected in a National context. Extensions to same could only be facilitated by way of further erosion of the day-to-day maintenance fund provided through the Council’s “Own Resources” component of the Roadworks Programme and this wouldn’t be sustainable. I regret, therefore, that I would not be in favour of a review at this time.”

The members requested H. McGrath to raise the matter again with the Senior Engineer, Tom Tiernan and seek a review of the gritting programme on regional and strategic routes in the Municipal District that are currently not being gritted.

**Item 22 Notice of Motion submitted by Cllr. P. Hayes.**

“I propose that a review of the parking facilities at Mullaghmore be carried out in the interest of traffic movements and safety for road users and walkers.”

Proposed by: Cllr. P. Hayes  
Seconded by: Cllr. J. Cooney

**Hugh McGrath, Senior Executive Engineer replied as follows:**

“Responsibility for the management of all facilities associated with Mullaghmore rests with the National Parks and Wildlife Service (N.P.W.S.) and not Clare County Council.

The most recent draft proposals for the construction of a visitor car park was submitted by N.P.W.S. in late 2012. This application was subsequently withdrawn.”

**Item 23 Any Other Business.**

- The members raised concerns about the repairs required to Annaghneal Bridge on the Bodyke/Feakle road.
- It was noted that an e-mail had been circulated to the members advising them that public lighting in the Powerscourt Housing Development in Tulla would not now be switched off as planned. A decision on same was postponed for the time being.

The meeting then concluded.

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**Kieran O'Donnell**  
**Meetings Administrator**

**22<sup>nd</sup> January, 2015.**