

Minutes of Meeting of the Killaloe Municipal District held on Wednesday, 21st September, 2016 at 3.00 p.m. in the offices of the Municipal District at Mountshannon Road, Scariff.

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

Officials: Mr. Liam Conneally, Director of Services
Mr. Hugh McGrath, Senior Executive Engineer
Mr. Kieran O'Donnell, Administrative Officer
Mr. Brian McCarthy, Senior Planner

Item 1 Minutes of Killaloe Municipal District Meeting held on 20th July, 2016.

The minutes of the Killaloe Municipal District Meeting held on 20th July, 2016 were adopted having been proposed by Cllr. M. Begley and seconded by Cllr. J. Cooney.

Item 2 Date for next meeting.

It was agreed that the next meeting will take place on the 16th November, 2016 at 3.00 p.m.

Item 3 Fix date for budget meeting.

It was agreed that the budget meeting will take place on the 24th October, 2016 at 2.00 p.m. in Áras Contae an Chláir, New Road, Ennis, Co. Clare. In addition, it was also agreed that the budget briefing for the Killaloe MD members would take place on the 5th October, 2016 at 11.00 a.m.

Item 4 Update on Limerick Hinterland Funding – element of Killaloe Town Plan Masterplan.

Brian McCarthy, Senior Planner attended for this item. He outlined to the members the consultation that was currently taking place as part of the development of a masterplan for Bane's field. He advised the members that any improvement works would be subject to a Part

VIII planning application. In total, €135,000 was available for this project from funding under the Limerick Hinterland Study. The members thanked B. McCarthy for the update and welcomed the progress made to date.

Item 5 Declaration of Public Roads - Powerscourt & Ardmore, Tulla, Co. Clare.

Report dated 9th September, 2016 from Bernadette Haugh, Administrative Officer, Planning & Enterprise Development was circulated with the agenda. The report states that it is proposed to declare the roads in Powers Court & Ardmore, Tulla to be a public road. The Statutory Notice to this effect was published on 15th July, 2016. The relevant maps were available for public inspection until 15th August, 2016 and the closing date for submissions was the 29th August, 2016. No submissions were received from the public during this period.

It was then proposed by Cllr. J. Cooney and seconded by Cllr. P. Hayes

“That Clare County Council in accordance with Section 11 of the Roads Act, 1993 declare the roads in the housing estates of Powers Court and Ardmore, Tulla, Co. Clare to be public roads.”

Item 6 Taking in charge of Knockyclovaun, Killaloe.

Report dated 19th September, 2016 from Hugh McGrath, Senior Executive Engineer was circulated at the meeting. The report set out the basis for consideration of the application in respect of the Taking in Charge the development of Knockyclovaun, Killaloe, Co. Clare (including Kincora Cottages).

H. McGrath stated that consideration for the issues as outlined in the report should be carefully considered before approving this taking in charge application.

He also stated that due to the restricted budgetary situation roads such as this are unlikely to get other than a basic level of maintenance in the current environment. If an adequate funding resource was identified to address the issues outlined a stronger endorsement of this application could be reported.

It was then proposed by Cllr. T. O’Brien and seconded by Cllr. M. Begley

“That Clare County Council in accordance with Section 11 of the Roads Act, 1993 declare the road as shown in Clare Co Co Drawing No. 16-1023-001 (287 m) in Knockyclovaun, Killaloe, Co. Clare to be a public road.”

Item 7 Update on Lough Derg Canoe Trail.

A detailed schedule outlining the dates and locations for the proposed works was circulated at the meeting. The project is due to be completed by the 20th January 2017. The members welcomed the update and the progress being made on the project.

Item 8 Speed Limit Review.

Report dated 5th September, 2016 from Tom Tiernan, Senior Engineer was circulated with the agenda. The report states that as required under the presently ongoing speed limit review, a draft Speed Limit Scheme has been collated for consideration in advance of progressing to the next stage of the process – the formal public consultation process.

Attached to the report were the following:

1. The full schedule of submissions received.
2. The schedule of proposed amendments to the current Speed Limit Bye-Laws which in effect is what constitutes the draft Speed Limit Scheme – when considered in association with the current Speed Limit Bye-laws.

H. McGrath S.E.E. advised the members that 112 submissions had been received as part of the review of Speed Limit Bye-Laws within the county. It was intended that the formal public consultation process pertaining to the review will commence in late September/early October and following a review of submissions to be received through that process, a report would be brought back to Municipal Districts for consideration before compiling a further revision of the draft Bye-Laws to go before the full Council for final approval.

The members noted the five proposed changes specific to the Killaloe MD

- Extension of 50Km/h on R352 Mountshannon Rd, Whitegate
- Extension of 50km/h on the L-7188 Rosroe Rd., Kilmurry
- Relocate 50km/h limit on the L-4078 Tulla
- Increase speed limit from 80km/h to 100km/h on a section of the R-352 to the west of McGrath's Quarry.
- Provide new Rural Speed Limit Designation Signs at all three junctions facilitating the Flaggy Shore/New Quay area with access to the N67.

Concern was raised about the proposed increase in speed limit from 80km to 100km on the R352. While it was agreed that the road was suitable for the 100km limit, it was argued that there was already a significant number of speed limit changes on that road which was creating confusion for drivers and that the section of the road adjacent to Tulla GAA field had significant pedestrian movement.

Cllr. M. Begley requested that proposals previously discussed in respect of Mount Catherine, Clonlara should be added to the draft Speed Limit Bye –Law scheme.

Item 9 Scariff parking and one-way system.

This item had previously been discussed at the July meeting. The members agreed that parking issues remained in Scariff town, especially on Friday and Saturdays. It was noted that the local community were looking to identify areas for a car park in the town centre and they would be seeking the support of the Council if a suitable site was identified. H. McGrath, S.E.E. was requested to review existing parking to see if any improvements could be considered. H. McGrath also undertook to follow up on cars that were identified by local businesses or by the elected members that were not complying on an ongoing basis with the parking restrictions.

Item 10 Draft Lead in Drinking Water Mitigation Plan.

Report dated 6th September, 2016 from Anthony McNamara, Senior Executive Engineer, Water Services was circulated with the agenda. The report states that Irish Water have recently published a Draft Lead in Drinking Water Mitigation Plan.

Irish Water is seeking feedback on the plan and Public Consultation is currently taking place up to 21st September, 2016. The plan is available to view at the Planning Section, Clare County Council together with the SEA Environmental Report and Natura Impact Statement as well as on the Irish Water Website www.water.ie/lead.

The Draft Plan has been prepared in response to the recommendations made in the National Strategy to Reduce Exposure to Lead in Drinking Water which was published by the Department of Environment, Community and Local Government (DoECLG) and the Department of Health in June 2015 and has been developed in order to mitigate risks to human health posed by the presence of lead in drinking water as a result of lead pipework. The National Strategy requires contributions from a number of stakeholders including Irish Water, the DoECLG, the HSE, the EPA and the general public to achieve its targets.

Irish Water held a briefing at Limerick City & County Council Offices on Monday, 5th September on its Draft Lead in Drinking Water Mitigation Plan where members of the Irish Water Lead team were in attendance to provide details of the plan. Included in the Draft Lead in Drinking Water Mitigation Plan is the Limerick Priority Project, a proposal to add orthophosphate to the water supply produced by Clareville Water Treatment Plant as a measure to reduce the risk of lead in the supply with Limerick chosen as the priority project. The proposed addition to the water supply leaving the Clareville Water Treatment Plant will amount to an average dose of 1mg/l of orthophosphate.

This is of interest to consumers in the South East Clare Area as water in this area is supplied from the Clareville Plant. Irish Water expects the orthophosphate treatment at the Clareville Water Treatment Plant to commence after the consultation has been completed in October 2016. Irish Water propose to publish the final plan later this year and the accompanying SEA statement together with a consultation feedback report.

The members noted the contents of the report.

Item 11 Correspondence.

Correspondence dated 23rd August, 2016 from Tipperary County Council regarding the possibility of twinning Ballina with a town in Europe, possibly France, was circulated with the agenda. The correspondence also proposed that Ballina and Killaloe would work together on this proposal as the secondary school was located in Killaloe and may become involved in future student exchanges.

This proposal was supported by the members and it was agreed to refer the matter to the Twinning Committee.

Item 12 Notice of Motion submitted by Cllr. A. O’Callaghan.

“Ask this council to give a report and an update on the issue of Japanese knot weed getting out of control in East Clare.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. P.Burke

Hugh McGrath, Senior Executive Engineer replied as follows:

“In the Killaloe MD over the past number of years we have been progressing a programme to identify and deal with Japanese Knotweed where it impacts the public road network. Where responsibility rests with the Roads Authority we are addressing the issue within the resources available to us.”

The members welcomed the programme being undertaken by the Killaloe MD office but agreed that there was a need to educate land owners in the region to help them to identify the problem so that they could treat it effectively.

Item 13 Notice of Motion submitted by Cllr. A. O’Callaghan.

“Ask this Council what measures are being taken in the R462 between Kilmurry and Sixmilebridge which floods on an annual basis every year.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. J. Cooney

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is accepted that there is an ongoing issue with road drainage on this section of the R462 Regional road. We are reviewing this road & in particular the most problematic areas with a

view to addressing them. In order to make progress we will be relying on landowners and occupiers abutting the road to meet their obligations under Section 76 of the Roads Act 1993 and in particular to facilitate road drainage that is not currently draining freely from the road due to drainage deficiencies.”

Item 14 Notice of Motion submitted by Cllr. A. O’Callaghan.

“Ask this council that repairs works be carried out on Dun an Oir Estate, Kilkishen as roads and paths are in poor standard.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“There is merit in this proposal. However, the members will be aware that in the current Schedule of Municipal District Works we have no specific funding mechanism for repair/upgrade of housing estates in the charge of Clare County Council. Any repairs or improvement works would need to be assessed in conjunction with all other proposals for inclusion in the Roadworks Programme.”

Item 15 Notice of Motion submitted by Cllr. T. O’Brien.

“That a traffic management plan to include car parking be drawn up for the area around the Boys National School in Killaloe.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“The traffic management of this area will be addressed in conjunction with the overall Killaloe Traffic Management Plan and Parking review.”

Item 16 Notice of Motion submitted by Cllr. T. O’Brien.

“That the road at lower Ardnataggle in O Briens Bridge be resurfaced.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“The L3072 is a local cul-de-sac primarily serving residential housing. The most appropriate mechanism for securing funding for improvements on this road would be through the Community Involvement Scheme which has operated over the past number of years with great success.”

Item 17 Notice of Motion submitted by Cllr. T. O’Brien.

“That measures to prevent flooding be taken on the R463 on the Scariff side of Ogonnelloe.”

Proposed by: Cllr. T. O’Brien

Seconded by: Cllr. P. Hayes

Hugh McGrath, Senior Executive Engineer replied as follows:

“The Road Authority is responsible for maintenance of all gullies, outlets, public drains and pipes within the curtilage of the public road. We will review this area in this regard.

However under Section 76 (5) of the Roads Act 1993:-

The owner or occupier of any land adjacent to a public road shall take all reasonable steps to ensure that—

- (a) water is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road,
- (b) water, soil or other material is prevented from flowing or falling onto a public road from his land.

Where necessary Clare County Council as the Road Authority will serve Notices under subsection (6) of the act to address non-compliant landowners.”

Item 18 Notice of Motion submitted by Cllr. M. Begley.

“That Clare County Council request Irish Water to take in charge the Derryfadda GWS which was connected to the Gillogue GWS (already T-I-C) in 2014.”

Proposed by: Cllr. M. Begley

Seconded by: Cllr. T.O’Brien

Brendan Flynn, Executive Engineer, Water Services replied as follows:

“Details are currently being prepared by Clare County Council Rural Water Programme in conjunction with the Derryfadda Group Water Scheme to finalise documents for a Taking in

Charge application to Irish Water. It is anticipated that this application will be submitted by the end of September.”

Item 19 Notice of Motion submitted by Cllr. M. Begley.

“That the meeting be given an up-date on the CIS in the KMD for 2016.”

Proposed by: Cllr. M. Begley

Seconded by: Cllr. T.O’Brien

Hugh McGrath, Senior Executive Engineer replied as follows:

“To date 8 schemes to the total value of €120,000 have been approved in the Killaloe MD under the 2016 Community Involvement Scheme (CIS). Works have commenced or are substantially complete on over half of these schemes. Some of the approved works involve resurfacing and will only be carried out in seasonally appropriate conditions.”

Item 20 Notice of Motion submitted by Cllr. M. Begley.

“That Clare County Council instruct the receivers of the property known as "The Anglers Rest", Doonass, Clonlara, to secure/manage their asset, so as to prevent anti social behavior and illegal dumping on the site.”

Proposed by: Cllr. M. Begley

Seconded by: Cllr. T.O’Brien

Monica Meehan, Senior Executive Officer, Planning replied as follows:

“This property is not on the derelict sites register at present.

Based on the recent inspection and report prepared by the Senior Executive Engineer, it is proposed to issue a section 8(2) notice under the Derelict Sites Act 1990 to the receiver once identified and to request the receiver to arrange to undertake works to render the site non-derelict.”

Item 21 Notice of Motion submitted by Cllr. J. Cooney.

“In the interest of road safety Clare County Council improve the Sight Lines at the Cragroo Cross on the Tulla to Feakle Road. Land has been made available by local land owner to facilitate the works.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. P Hayes

Hugh McGrath, Senior Executive Engineer replied as follows:

“Consideration can be given to making the appropriate improvements at this junction. If these improvements require land it is of significant benefit to the likely progression of any works if the necessary lands are made available to the Road Authority.”

Cllr. J. Cooney informed the meeting that land in this case was being made available and H. McGrath, Senior Executive Engineer advised that this would greatly assist the council in progressing the works.

Item 22 Notice of Motion submitted by Cllr. J. Cooney.

“That Clare County Council carry out road works on the L8050 Poulagour, Scariff where the road surface is in very poor condition.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. P. Burke

Hugh McGrath, Senior Executive Engineer replied as follows:

“A section of this road was upgraded in the 2016 Restorative Maintenance Programme (Surface Dressing).

However, it is accepted that there remains a significantly damaged section of this road that needs to be addressed. Damage is being caused by roadside trees, water from lands and waste from cattle using the road. We require landowners to fulfill their obligations under Section 70 & 76 of the Roads Act 1993 and we have already communicated this. Despite several meetings and communications to local landowners in this regard, the areas of damage and the poor maintenance and usage practices are continuing to cause damage to this road and the issues have not been addressed. In giving consideration to submitting any road for public grant funding we are not disposed to processing such an application where negligence is continuing and where maintenance of any new surface would not be viable or cost effective.”

It was agreed that the Council would meet the landowners involved.

Item 23 Notice of Motion submitted by Cllr. J. Cooney.

“That Clare County Council carry out road widening works at Carrols Hill on the Broadford to Sixmilebridge Road in the interest of road safety. Road signage may also be acceptable to mitigate the problem.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. A. O’Callaghan

Hugh McGrath, Senior Executive Engineer replied as follows:

“The L3016 is a Local Primary Road. While the passing width over sections of this road is restrictive, it is accepted that a particular problem exists at Carrols Hill as a result of a number of issues including road width.

Apart from the restrictive road width, the road conditions at this location are impacted significantly by reduced visibility, and a lack of light as a result of large roadside trees. As well

as the potential for structural damage these are impacting the safety of driving conditions in wet or cold weather, due to unacceptable levels of shade, water and frost.

In the past week a number of roadside trees fell from private lands onto this section of road. Landowners and/or occupiers are obliged by law to take all reasonable steps as outlined under Section 70 and Section 76 of the Roads Act. We can review this section of road once these steps are taken. Any improvements we may ultimately carry out in addition to the primary issues outlined will be considered also.”

Item 24 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to carry out drainage works on the L 80782 north of Whitegate village where a bridge seems to have collapsed."

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is accepted that the L80782 at Cregg, Whitegate suffered damage as a result of flooding and that drainage issues need to be addressed here at the next opportunity.”

Item 25 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to explore ways of improving the visibility for motorists at the junction of the L 8088 and the R352 at Ballinagough, Whitegate."

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“Consideration can be given to making the appropriate improvements at this junction. If these improvements require land it is of significant benefit to progression of any works if lands are made available to the Road Authority.”

Item 26 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to make safe by back filling an open drain on the roadside at Ballyloughnane, Ogonnelloe on the L 4128 as it is dangerous to road users."

Proposed by: Cllr. P. Burke
Seconded by: Cllr. T. O'Brien

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is accepted that any roadside open drains has the potential to pose a hazard if road-users enter them, depending on their depth, proximity to the road and alignment relative to the road alignment. However, while it is not practical to pipe or backfill all roadside open drains at locations such as this (in particular where the road is relatively straight, and the drain is shallow and parallel to the road) other measures can be considered to assist in delineating and/or highlighting the drain to discourage inadvertent entry onto the drain.”

Item 27 Notice of Motion submitted by Cllr. P. Hayes.

“I am asking for an update into the boil notice in Carron and New Quay water supplies and what work's are proposed and when this might be completed.”

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

Maurice Hourigan, Irish Water replied as follows:

“Following advice from the Health Service Executive, Irish Water and Clare County Council issued Boil Water Notices on two separate water supply schemes in Co. Clare earlier this year; on Carron Water Supply Scheme on 4th May, and Turlough Water Supply Scheme on 5th July. Irish Water understand the considerable inconvenience this is causing to residents and businesses in the area and are progressing measures to lift the notices as soon as possible.

The Turlough Public Water Supply scheme serves approximately 260 households. The Carron Public Water Supply serves approximately 20 houses. Both notices were put in place to protect customers due to the detection of cryptosporidium in the water supply.

Irish Water is currently progressing with the installation of filtration and ultraviolet disinfection units in order to address the vulnerability of the water sources at both locations and to ensure an effective barrier to future cryptosporidium incidents is put in place. Contractors are currently on site and initial works have commenced. Following the installation of the units, Irish Water will undertake a series of water quality tests which will be presented to the HSE and EPA, who have the ultimate decision on the when a Boil Water Notice can be lifted. It is likely to take some time, and potentially to the end of the year, before all our work is complete. We will continue to keep the community updated on our work and potential timelines, and wish to apologise for the inconvenience caused.”

Item 28 Notice of Motion submitted by Cllr. P. Hayes.

“I am asking that a planned programme of works into the renewal and upgrading of the footpaths in the Lower Main Street, Tulla be put in place.”

Proposed by: Cllr. P. Hayes
Seconded by: Cllr. A. O’Callaghan

Hugh McGrath, Senior Executive Engineer replied as follows:

“Repair of paths are carried on a priority basis following regular review of their conditions. This area will be considered for remedial works in conjunction with all other necessary works for consideration and a priority schedule prepared for the upcoming Annual Discretionary Programme provided adequate funding is available.”

Item 29 Notice of Motion submitted by Cllr. P. Hayes.

“I am asking that remedial works be put in place to protect the Causeway linking Aughnish Island New Quay to the mainland in Galway as there are a number of breaches at present. This needs to be done as a matter of urgency.”

Proposed by: Cllr. P. Hayes
Seconded by: Cllr. T.O’Brien

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is accepted that the breach of the Causeway as referred to needs to be repaired in the short term.

In addition to this initial repair there is also a requirement to examine the overall structural integrity of the sea defences at this location to ascertain whether additional strengthening is required. Such a scheme if required may be suitable for an application for funding to the OPW, under the ‘Minor Flood Mitigation Works & Coastal Protection Scheme’”

Item 30 Any Other Business.

- The members noted recent correspondence from H. McGrath, S.E.E. about the 3T weight restriction being applied on the R471 at Callaghans Bridge (Sixmilebridge-Clonlara Road). Concern was raised by the members about the length and suitability of the detour roads and urged that hedgecutting be carried out on these routes.
- Congratulations were extended to the management and staff of Tulla Secondary School on the official opening of their new school.
- Concern was expressed about the CFRAMS conclusions in relation to Springfield and it was agreed by the members that the Council should contest the accuracy of this report.

- The members agreed that the Killaloe MD should look at Economic and Tourism development in the region and it was proposed that Padraic Mc Elwee could be invited to attend a future meeting.
- The members noted that locals were reporting water levels in Lough Derg as being higher than normal although they had begun to drop in recent days.

The meeting then concluded.

Kieran O'Donnell
Meetings Administrator

22nd September, 2016.