

Minutes of Meeting of the Killaloe Municipal District held on Wednesday, 6th December, 2017 at 3:00 p.m. in the offices of the Municipal District at Mountshannon Road, Scarriff.

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

Officials: Ms. Anne Haugh, Director of Service
Mr. Hugh McGrath, Senior Executive Engineer
Mr. Kieran O'Donnell, Meetings Administrator

Item 1 Minutes of Killaloe Municipal District Meeting held on 20th September, 2017.

The minutes of the Killaloe Municipal District Meeting held on 20th September, 2017 were adopted having been proposed by Cllr. P. Hayes and seconded by Cllr. M. Begley.

Item 2 Minutes of Killaloe Municipal District Budget Meeting held on 23rd October, 2017.

The minutes of the Killaloe Municipal District Budget Meeting held on 23rd October, 2017 were adopted having been proposed by Cllr. M. Begley and seconded by Cllr. J. Cooney.

Item 3 Date for next meeting.

It was agreed that the next meeting will take place on the 24th January, 2018 at 3:00 p.m.

Item 4 Disposal of property at Main Street, Kilkishen, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 31st October, 2017 from Carmel Greene, Senior Executive Officer, Corporate Services Department was circulated with the agenda. The report states that it is proposed to dispose of derelict property situated at Main Street, Kilkishen, Co. Clare.

The members noted the report as presented and the disposal was proposed by Cllr. A. O’Callaghan, seconded by Cllr. M. Begley and agreed.

The members did request that any queries outstanding from the solicitors of the family that are trying to establish a claim to the property before the Compulsory Purchase Order was completed, should be dealt with prior to the meeting of the full Council.

Item 5 Correspondence.

The Meetings Administrator advised the members that he had received correspondence from Iarnród Éireann in response to the flooding issues in Ballycar and he agreed to circulate this correspondence to the members.

Correspondence dated 20th November, 2017 from Tourism East Clare was circulated with the agenda. The correspondence expressed the concern of the group about the lack of leadership and administration in Clare Tourism at present.

The members agreed to also deal with Items 19 and 17 in conjunction with this item as they also dealt with tourism issues in East Clare.

Item 19 Notice of Motion submitted by Cllr. P. Hayes.

“I am asking that consideration be given to putting in place a Tourism Development Officer for the Killaloe Municipal District, with proposed developments of Holy Island it is imperative that this area of the county reaches its full potential.”

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. J. Cooney

Brian McCarthy, A/Director of Economic Development replied as follows:

“Following ongoing requests from the Economic Development Directorate, approval was received from the Department last week for the filling of the post of a Tourism Development Officer by Clare County Council. This resource, when appointed will be a valuable, necessary and timely addition to the staff complement in the section, building on the on-going work by the Directorate on tourism and marketing promotion across the County including - in the context of the Killaloe Municipal District - the *Holy Island Sustainable Tourism and Visitor Management Plan*; the Lough Derg Blue way and a Feasibility Study examining the tourism potential of heritage offerings in Tuamgraney.

Whilst noting and appreciating the sentiments of the notice of motion that the Tourism Development Officer should be for the Killaloe Municipal District area only, due to the significant work programme and requirement that an overall strategic approach to tourism is maintained, due to resources it is considered necessary that a county wide remit should be retained for the Tourism Officer.”

Item 17 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to provide an up to date progress report on the plans for Holy Island."

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

Brian McCarthy, A/Director of Economic Development replied as follows:

“Since the endorsement of the *Inis Cealtra (Holy Island) Visitor Management and Sustainable Tourism Development Plan* by Clare County Council at July meeting, the plan has been professionally designed and a series of actions have been identified for progression in the short to medium term. Copies of the final plan have been issued to the Elected Members in the last few days, and it is planned to issue a number to the local community and stakeholders – who were all key to the development and preparation of the plan.

Over the last few weeks, the Clare County Council has met with representatives of the Office of Public Works regarding implementation of initiatives in the plan, identifying works required falling each other’s own remit as well as identifying opportunities for co-operation between the two organisations. A follow-up meeting is scheduled for early 2018. Given the archaeological sensitivity of the island any physical works, no matter how small, require ministerial consent.

Moreover, effective sustainable grazing options for the island are being explored with a view to having a regime in place for spring 2018. Similarly tidy-up of areas on the island which require vegetation clearance from some pathways and monuments are being identified as short-term projects, but all of which will require ministerial consent prior to progressing on the ground.

In addition to physical works on the island, the next steps require further survey work on and around the island, specifically a geophysical survey; a landscape, accessibility and conservation management plan and an underwater archaeological survey. Costing and funding sources are currently being explored.

It is clear that Clare County Council through the Economic Development Directorate and Planning Department have been proactive in not only preparing to a high quality Visitor Management and Sustainable Tourism Plan, but also since July, commencing the process of implementing elements of the agreed plan. The availability of funding is a significant issue; however the availability of an agreed *Inis Cealtra (Holy Island) Visitor Management and Sustainable Tourism Development Plan* is a key asset in the sourcing of any available funding.”

Item 6 Notice of Motion submitted by Cllr. T. O'Brien.

“That the storm water drains on Royal Parade Killaloe be raised in line with the road level.”

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. M. Begley

Hugh McGrath, Senior Executive Engineer replied as follows:

“Provided that such drains can still function effectively, it is desirable that they are set as close to the road surface as is possible. Where such improvements are deemed necessary we will address these at the next opportunity provided adequate resources are available.”

Item 7 Notice of Motion submitted by Cllr. T. O'Brien.

“That the remaining trees which weren't trimmed that are growing between the Riverdale and the Clonboy housing estates in Bridgetown be trimmed down and any trees found to be in a dangerous state be removed.”

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. M. Begley

Hugh McGrath, Senior Executive Engineer replied as follows:

“Where a specific concern that a tree is dangerous is brought to our attention we can arrange for an inspection. If following such an inspection we consider the tree to be dangerous the issue is brought to the attention of the landowner and/or occupiers of lands where such trees are located. Where Clare County Council are the responsible party we take action accordingly in line with our legal responsibilities as a landowner or occupier under Section 70 of the Roads Act 1993.”

Following discussion, it was agreed that Cllr T. O'Brien would meet with H. McGrath, Senior Executive Engineer on site to review the issues at that location.

The members agreed to deal with Item 16, as it dealt with a similar issue.

Item 16 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to survey all roadside trees in the Killaloe Municipal District following ex hurricane 'Ophelia' in the interest of road safety."

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“The responsibility for ensuring roadside trees are not or could not become a danger to the public lies with the landowner and/or occupier under Section 70 of the Roads Act 1993.

Clare County Council advises all landowners to carry out regular inspections on all of their roadside boundaries to satisfy themselves that there are not any trees that may pose a danger. Such inspections are particularly critical prior to and following storm events as structures/trees may have become compromised or weakened. Where the landowner or occupier has a doubt or where a concern is brought to the attention of Clare County Council we will (where possible) inspect the location and address any concerns following the inspection to the landowner and/or occupier.”

The members noted that progress had been made in removing trees that created a risk for those using public roads but stressed the importance of this work continuing. The members also called on other bodies e.g. E.S.B. and Coillte to ensure that maximum care is taken to remove all trees that could potentially pose a risk.

Item 8 Notice of Motion submitted by Cllr. T. O’Brien.

“That an update on the taking in charge of Ballyvalley Estate in Killaloe be given to the meeting.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“Clare County Council Planning Authority has confirmed that this development is not deemed applicable for taking in charge as a housing estate under Section 180 of the Planning & Development Act 2000.

However, consideration can be given to declaring this road ‘public’ under Section 11 of the Roads Act 1993. In order to consider whether such a process should commence the elected members of the Municipal District must agree on such a commencement.”

It was proposed by Cllr. T. O’Brien, seconded by Cllr. J. Cooney and agreed by the members that Clare County Council commence the procedure to declare this road a public road.

Item 9 Notice of Motion submitted by Cllr. A. O’Callaghan.

“I ask this Council to carry out drainage works in Kilmurry where the R462 meets the L7006.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is expected that improvements can be made to the drainage at this location provided adequate capacity is available at this location to take such drainage.”

Item 10 Notice of Motion submitted by Cllr. A. O'Callaghan.

“I ask this Council to erect a reflective sign at Cluain na Laoi Estate on the R462 as it is very dark and dangerous for traffic coming from the Tulla direction.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“The location referred to is located within the 50kph speed limit. In addition at this location there is provision for permanently locating a driver feedback display sign in-situ approaching this location warning motorists of their speed. Irrespective of this, where we determine that there is a need to further highlight a hazard on the public road network we will arrange for the necessary and appropriate works provided resources are available.”

Item 11 Notice of Motion submitted by Cllr. A. O'Callaghan.

“I ask this Council to review traffic congestion on the Main Street in Broadford in the interest of safety.”

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 merit in reviewing this. We will arrange to carry out such a review at the next available opportunity.”

Item 12 Notice of Motion submitted by Cllr. J. Cooney.

“That Clare County Council carry out improvement works on both sides of the road and the dangerous bend at Killaderry on the Broadford/Sixmilebridge road in the interest of road safety.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“We will review this location at the next opportunity to consider any improvements deemed necessary within the available resources.”

Item 13 Notice of Motion submitted by Cllr. J. Cooney.

“That Clare County Council give an update on the bridge repairs on the link road between the R466 and Broadford/Sixmilebridge Road.”

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

Michael O'Grady, Executive Engineer, Transportation Department replied as follows:

“Following completion of a necessary redesign, the Contractor (Cumnor Construction) is due back on site on Monday, 11th December to commence the works. The repairs are expected to be completed in January 2018.”

Item 14 Notice of Motion submitted by Cllr. J. Cooney.

“That Clare County Council outline what rivers and drains come under the Council drainage scheme in the Killaloe Municipal District and what works can be carried out to prevent the flooding that occurred on Wednesday, 22nd November.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“Clare County Council has responsibility for a number of Drainage Districts under Section 30 of the Arterial Drainage Act 1945 some or all of which fall within the Killaloe Municipal District as follows:-

1. Scarrif Drainage District (All in Killaloe Municipal District)
2. Sixmilebridge & Kilkishen Drainage District (Killaloe Municipal District from Castle Lake to Lough Bridget)
3. Fergus Drainage District (Killaloe Municipal District from Tubber to Ruan)
4. Quin Drainage District (Killaloe Municipal District from Tulla to Quin)

However, there are no specific financial resources available to Clare County Council for Arterial Drainage. Funding for maintenance is provided from own resources and therefore allows for only

a very basic level of maintenance. Riparian landowners have responsibilities to maintain drains and rivers on or bounding the lands within their ownership.”

Cllr. P. Burke acknowledged the quick response by the Council to a flooding issue that arose in Whitegate on the 21st October.

H. McGrath advised the members that the Office of Public Works website shows a map outlining the rivers under the responsibility of the Office of Public Works.

Item 15 Notice of Motion submitted by Cllr. P. Burke.

"Calling on Clare County Council to make safe the roadside drain on the L4128 at Ballyloughnane, Ogonnelloe."

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“Any measures deemed necessary at this location will be carried out at the next available opportunity.”

Item 18 Notice of Motion submitted by Cllr. P. Hayes.

“I am asking that the village and directional signage be upgraded and replaced in the village of Ballinruan.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“This request will be considered favourably if the damaged signage is beyond repair.”

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

“I propose that extra resources be put in place for a comprehensive maintenance programme with particular emphasis on drainage to protect our investments in the road network, recent flooding issues highlight the importance of this issue.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“It is accepted that increased resources are badly needed to deal properly with road maintenance including roadside drainage. Due to the lack of adequate funding and staffing currently available it is not possible to provide other than basic drainage maintenance and even this is only possible on the main roads. In addition, roadside landowners and/or occupiers have responsibilities under Section 76 of the Roads Act 1993 in relation to drainage onto and draining from public roads. Unfortunately we are finding it increasingly necessary to issue warning notices in this regard where public roads are being damaged due to landowner\occupiers negligence of their legal obligations.”

The members highlighted the need for the Council to work together in partnership with the landowners to resolve the issue.

Item 21 Notice of Motion submitted by Cllr. M. Begley.

“That drainage be carried out on the Lisduff (Castle) road L-7042.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“The Lisduff (Castle) road L-7044 has been problematic in respect of drainage for a number of years. Landowners have been issued correspondence in respect of their obligations under Section 76 of the Roads Act 1993. There may be some minor improvements possible through maintenance of some drains on the public road but until drainage issues in the responsibility of the landowners are addressed Clare County Council will not be able to effect a long term solution to this problem.”

H. McGrath agreed to meet all the relevant parties on-site to look at potential solutions.

Item 22 Notice of Motion submitted by Cllr. M. Begley.

“That drainage be carried out on the L-3044 (Aherinaghmore) near Shane Ryan’s House.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“Resolution of this issue relates to a combination of maintenance by Clare County Council and the removal of a problematic tree by a local landowner.”

Item 23 Notice of Motion submitted by Cllr. M. Begley.

“That the Finger Sign for Sixmilebridge be replaced as the mounting brackets are damaged and the sign is repeatedly pointing in the wrong direction.”

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

Hugh McGrath, Senior Executive Engineer replied as follows:

“This can be arranged at the next opportunity.”

Item 24 Any Other Business

- Cllr. J. Cooney complimented everybody involved in the provision of the new public lighting in Scarriff. H. McGrath advised that the next stage would involve planting of trees and upgrading of the footpaths, if funding can be sourced.
- H. McGrath advised the members that 75 to 80% of the projects to be funded under the G.M.A. allocations were completed with the remaining works to be completed in 2018.
- Cllr. T. O’Brien praised the Council for work carried out on the bridge at Kay river.
- Cllr. P. Hayes requested that every effort be made in 2018 to resolve the flooding issues on Poulagower road. H. McGrath advised that the Council had carried out an inspection during recent rainfall and is satisfied that works are required by the landowner to resolve the issue.

The meeting then concluded.

Kieran O’Donnell
Meetings Administrator

8th December, 2017.