

**Minutes of Meeting of the Killaloe Municipal District**  
**held on Wednesday, 15<sup>th</sup> September, 2021 at 11.15 a.m.**  
*Meeting held in Council Chamber, Áras Chontae an Chláir*

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

**Officials:** Ms. Anne Haugh, Director of Service  
Mr. Morgan Lahiffe, A/Senior Executive Officer  
Ms. Niamh Madden, Senior Executive Engineer  
Ms. Pauline Costelloe, Staff Officer

Members of the media attended

The Cathaoirleach, Cllr. Joe Cooney, chaired the meeting.

---

Condolences were extended by Cllr. Joe Cooney and the members to the family of Marian Kelly (nee O'Grady), Feakle, sister of Michael O'Grady, staff member, who passed away following an illness in South Carolina, USA. May she rest in peace.

Condolences were extended by Cllr. Joe Cooney and the members to the O'Brien and Boyce families, Castletroy, Limerick and Broadford following the tragic death of Niall O'Brien while on holiday abroad. May he rest in peace.

**Item 1            Minutes of Killaloe MD Meeting, held on 14<sup>th</sup> July, 2021.**

The minutes of Killaloe Municipal District Meeting held on 14<sup>th</sup> July, 2021 were adopted having been proposed by Cllr. A. O'Callaghan and seconded by Cllr. P. Burke.

**Item 2            Matters Arising.**

Referring to Item 4, Cllr. P. Hayes requested that the council take a further look at possible safety measures at the Cranagher Junction.

Referring to Item 8, Cllr. T. O'Brien asked that the council, as part of the budgetary process, examine possible co-operation with Tipperary County Council and Ballina residents with regard to street cleaning and litter removal.

**Item 3           Set date for next Killaloe MD meeting**

It was agreed the next Killaloe MD meeting be provisionally arranged for Wednesday, 17<sup>th</sup> November, 2021.

**Item 4           Disposal of land at Main Street, Whitegate pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000 (as amended).**

Report, dated 8<sup>th</sup> September, 2021 from Carmel Greene, Senior Executive Officer, Economic Development Department was circulated with the agenda. The report states that it is proposed to dispose of an area of land measuring 0.0142 hectares at Main Street, Whitegate, Co. Clare for the purchase price of €500.00 to Joe Ryan, Limerick Road, Broadford, Co. Clare.

The members noted the report, as presented, and the disposal was proposed by Cllr. P. Burke, seconded by Cllr. J. Cooney and agreed.

**Item 5           Disposal of land at Cappaduff, Mountshannon pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000 (as amended).**

Report, dated 10<sup>th</sup> September, 2021 from Siobhán McNulty, A/Director of Service, Social Development Department was circulated with the agenda. The report states that it is proposed to dispose of property at Cappaduff, Mountshannon, Co. Clare as comprised in Folio 28091F to Josie Scholman, Cappaduff, Mountshannon. There is no consideration for this transaction.

The members noted the report, as presented, and the disposal was proposed by Cllr. P. Burke, seconded by Cllr. J. Cooney and agreed.

**Item 6           Quin Footpaths NTA Active Travel Section 38**

Report dated 10<sup>th</sup> September, 2021 from John Gannon, Senior Executive Engineer, Road Design Office was circulated with the agenda. The report states that it is proposed to carry out the following Traffic Calming measures in the Killaloe Municipal District in accordance with Section 38 of the Road Traffic Act 1994:

Construction of a controlled pedestrian crossing with belisha beacons. Junction buildouts, footpath buildouts, footpath extension and construction of 3 No. uncontrolled crossings. Installation of dished kerbing, red & buff tactile paving, all associated signs and road markings.

Plans and particulars of the proposed works were publicly advertised and available for inspection on [www.clarecoco.ie](http://www.clarecoco.ie) with objections or representations invited up to 6<sup>th</sup> September, 2021. A submission was received from Quin Playground Committee Members.

It was proposed by Cllr. A. O’Callaghan, seconded by Cllr. P. Burke and agreed “That traffic calming measures in accordance with Section 38 of the Road Traffic Act 1994 on the R469, L7156 & L7157, Quin Village be approved.”

## **Item 7            Kilmurry Footpaths NTA Active Travel Section 38**

Report dated 9<sup>th</sup> August, 2021 from John Gannon, Senior Executive Engineer, Road Design Office was circulated with the agenda. The report states that it is proposed to carry out the following Traffic Calming measures in the Killaloe Municipal District in accordance with Section 38 of the Road Traffic Act 1994:

Construction of a controlled pedestrian crossing with belisha beacons. Junction realignment and construction of 3 No. uncontrolled crossings and footpaths. Construction of dished kerbing, red & buff tactile paving, all associated signs and road markings.

Plans and particulars of the proposed works were publicly advertised and available for inspection on [www.clarecoco.ie](http://www.clarecoco.ie) with objections or representations invited up to 19<sup>th</sup> July, 2021. No submissions were received.

It was proposed by Cllr. A. O’Callaghan, seconded by Cllr. J. Cooney and agreed “That traffic calming measures in accordance with Section 38 of the Road Traffic Act 1994 on the R462 and at its junctions with L3020, L7006-27 and L7188 Kilmurry and Ballymulcashel, Sixmilebridge, Co. Clare be approved.”

## **Item 8            Killaloe MD Strategic Workplan**

The adoption of the plan was proposed by Cllr. P. Hayes, seconded by Cllr. P. Burke and agreed. Cllrs Hayes noted the importance of having a workplan and objectives which are specific to the Municipal District.

**It was agreed to combine Item 9 & Item 12 for discussion**

## **Item 9            Notices of Motion from Cllr. T. O’Brien**

“That extra resources be put into a cleaning programme for our towns and villages within the MD with a particular emphasis on weeds.”

Proposed by: Cllr. T. O’Brien

Seconded by: Cllr. P. Burke

## ***Reply from Niamh Madden, Senior Executive Engineer***

“The Killaloe Municipal District, along with the Rural Development Department in Clare County Council, have been engaging with Tidy Towns groups and with community groups throughout 2021 with a view to encouraging these groups and communities to help keep their areas clean and tidy. It is also important to stress that there is a legal obligation on shops and businesses to ensure that they are accountable for dealing with litter emanating from their premises. This is outlined in Section 15 and Section 16 of the Litter Pollution Act, as amended. In accordance with the legislation, local retailers and businesses should provide litter bins or means to address litter that may be generated from items purchased at their premises.”

**Item 12      Notices of Motion from Cllr. P. Hayes**

“I propose that the Killaloe District Office look at putting in place more litter bins across our towns and villages. At present there are very few in some of these villages.”

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. P. Burke

***Reply from Niamh Madden, Senior Executive Engineer:***

“There are a number of towns and villages in the Killaloe Municipal District where bins are in place and are serviced regularly. Unfortunately, the municipal district has borne witness to a number of these bins being abused in the area and has observed that bins are, in certain cases, being utilised by some members of the public and by some businesses in lieu of a household or business refuse collection service. The provision of additional bins also presents a resource issue in the municipal district, as any extra bins would require regular servicing and the municipal district has already allocated maximum available resources towards this task currently.

It is also important to stress that there is a legal obligation on shops and businesses to ensure that they are accountable for dealing with litter emanating from their premises. This is outlined in Section 15 and Section 16 of the Litter Pollution Act, as amended. In accordance with the legislation, local retailers and businesses should provide litter bins or means to address litter that may be generated from items purchased at their premises. Adherence to this legislation would help to greatly reduce litter where it is present in towns and villages.

Clare County Council also actively promotes the ‘Leave No Trace’ initiative and encourages people to bring their litter away and to dispose of it correctly.

Notwithstanding the above, the municipal district has ordered a number of replacement bins this year, some of which will have increased capacity to accommodate more litter in comparison to the existing bins that are due for replacement.

Additionally, the Killaloe Municipal District has, in the past, supported community groups and tidy towns groups in relation to organised litter picks and the Killaloe Municipal District will continue to support such efforts into the future.”

Cllr. T. O’Brien referred to the role of community groups and the need for the council to provide additional staffing resources on the ground. Cllr. P. Burke concurred and highlighted the misuse of bins, particularly in amenity areas. Cllr. P. Hayes agreeing with the role of community groups suggested funding be made more accessible for smaller groups. Cllr. J. Cooney asked if the council could examine solutions to deal with weeds along roadsides and kerbs.

**Item 10      Notices of Motion from Cllr. T. O’Brien**

“That an update be got as to when the winning tender for the new bridge crossing and Killaloe bypass will be announced and the commencement date of same.”

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. P. Burke

***Reply from Sean Lenihan Senior Engineer:***

“Members will be aware that this was a two-stage tender process and that we had already carried out a Suitability Assessment stage last year resulting in 6 no Main Contractors being prequalified and shortlisted. Further to receipt of Ministerial approval to proceed to Tender, we published the Main Scheme Works Tender on Friday the 06th of August on the eTenders platform.

As expected for a project of this type and complexity, there have been a number of queries and clarifications sought and so to inform the pre-qualified bidders further, site visits were arranged for Monday September 13<sup>th</sup> 2021. The tender return date is scheduled for Friday October 15<sup>th</sup> 2021 after which, and following review, assessment and recommendation, it is expected that the Contract will be awarded by year end and that construction on site will commence in Spring 2022 subject to Department of Transport approval.”

**Item 11 Notice of Motion from Cllr. P. Hayes**

“I am asking for an update when drainage works will be undertaken at Drewsboro, Tuamgraney as at present there is constant flooding in this area.”

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. J. Cooney

***Reply from Niamh Madden, Senior Executive Engineer:***

“The Killaloe Municipal District applied for an allocation of funding to alleviate flooding issues at this location and I am pleased to confirm that this application was successful. We will therefore be in a position to carry out works this year to remedy the situation.”

In reply to Cllr. P. Hayes, N. Madden advised discussions with the landowner are at an advanced stage and Killaloe Municipal District hope to complete works by year end.

**Item 13 Notices of Motion from Cllr. J. Cooney**

“I am calling on Clare County Council to carry out road improvement works on the bad sections and repair works to the two bridges on the L7010 off the R462 in Kilkishen.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. A. O'Callaghan

***Reply from Niamh Madden, Senior Executive Engineer:***

“The Killaloe Municipal District has assessed the road in question and I can confirm that sections where improvement works are required will be included in the 2022 roadworks programme. The Killaloe Municipal District will request that the bridges on this road that require works be included in the 2022 bridge rehabilitation works programme, which is managed by the Roads Design Department.”

Cllr. J. Cooney requested if signage could be put in place to alert drivers.

**Item 14**                      **Notices of Motion from Cllr. J. Cooney**

“I am calling on Clare County Council to deal with hedge cutting and over hanging trees and branches in the Killaloe M.D during the open season for carrying out these works.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. P. Burke

***Reply from Niamh Madden, Senior Executive Engineer:***

“Section 70 of the Roads Act, 1993 is very clear and states that landowners and occupiers of land are obliged to take all reasonable care to ensure that the trees, ditches, hedges and other vegetation growing on their land, are not or could not, become a danger to people using or working on a public road. This means that landowners and occupiers must cut their hedges, overhanging trees and branches when necessary.

The Killaloe Municipal District has already been proactive in recent weeks in relation to the issuing of reminder letters to landowners and occupiers in the area to alert them to their obligations under the legislation. Additionally, the Community Hedge Cutting Grant Scheme has been launched last week and the closing date for applications is 1st October 2021. Applications can be requested from the Roads Department in Clare County Council, online on [www.clarecoco.ie](http://www.clarecoco.ie) or from the Killaloe Municipal District office. The Killaloe Municipal District would appeal to all landowners, whether they received a reminder letter or not in recent weeks, to ensure that they fulfil their obligations in relation to the cutting of hedges, overhanging trees and other vegetation.”

Cllr. J. Cooney stated all landowners need to come on board on this issue and there needs to be more discussions between landowners and Clare County Council. He added in instances where landowners fail to take action works should be carried out by Clare County Council and costs recouped from the landowners. Cllr. P. Burke concurred and highlighted the importance of this issue with regard to safety on regional and local roads. In reply to Cllr. P. Hayes, N. Madden advised the council’s hedge cutting programme is progressing and a significant number of junctions will be cut in the next few weeks.

**Item 15**                      **Notice of Motion from Cllr. P. Burke**

“Calling on Clare County Council to erect signage to warn motorists of the narrow bridge on the R352 at Ballinagough, Whitegate.”

Proposed by: Cllr. P. Burke

Seconded by: Cllr. P. Hayes

***Reply from Niamh Madden, Senior Executive Engineer:***

“Signage has been ordered by the Killaloe Municipal District to alert motorists to the narrowing of the road at the bridge. This signage will be installed as soon as the Killaloe Municipal District receives delivery of same.”

**Item 16 Notice of Motion from Cllr. P. Burke**

“Calling on Clare County Council to replace/repair a section of tarmac at Dromaan Harbour which has been badly damaged by the roots of trees.”

Proposed by: Cllr. P. Burke

Seconded by: Cllr. P. Hayes

***Reply from Niamh Madden, Senior Executive Engineer:***

“Following an assessment of the location in question, I can confirm that the Killaloe Municipal District will carry out works to remedy this situation.”

**Item 17 Notice of Motion from Cllr. A. O’Callaghan**

“That this MD would carry out traffic calming and safety measures on the R469 outside the playground in Quin village in the interest of safety for users.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. J. Cooney

***Reply from Niamh Madden, Senior Executive Engineer:***

“There has been a recent public consultation conducted by the Roads Design Department in Clare County Council in relation to proposed footpaths and traffic calming measures in the village of Quin. Submissions received from members of the public during this consultation process will be given consideration. The proposed scheme extends from the church in Quin to just beyond Malachy's Bar on the R469, where it will tie in with the existing footpath outside the playground. The scheme also includes works on the L-7156, which is the road where Quin National School is located. The provision of a footpath from the centre of the village as far as the playground will improve safety for pedestrians walking this route. It is anticipated that this proposed amendment to the layout on the approach to the village from the Sixmilebridge side will have a positive effect on the reduction of speed at this location.”

Cllr. A. O’Callaghan referred to a possible Low Cost Safety Scheme for the site.

**Item 18 Notice of Motion from Cllr. Alan O’Callaghan**

“Ask this council that more footpath upgrades would be carried out in Hill Crest Grove estate in Kilkishen as trip hazards are inevitable.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. J. Cooney

***Reply from Niamh Madden, Senior Executive Engineer:***

“A contractor has been recently appointed to carry out footpath upgrade works in Hillcrest Grove. It is anticipated that the works will commence within the coming weeks.”

**Item 18      Any other business.**

Cllr. P. Hayes referred to the recent addition of the Scarriff/Feakle Road to the 2021 Winter Maintenance Programme and asked that over the winter months the MD office identify other roads that could be included in the programme.

**The meeting then concluded.**

---

**Morgan Lahiffe**  
**A/ Senior Executive Officer**

**30<sup>th</sup> September, 2021**