

Minutes of Meeting of the Killaloe Municipal District

held on Wednesday, 18th January, 2023 at 9.30am

Meeting held in Meeting Room, Killaloe Municipal District Offices

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

Officials: Ms. Anne Haugh, Director of Service
Mr. Brian McCarthy, Senior Planner and KMD Meeting Administrator
Mr. Derek Troy, Acting Senior Executive Engineer

The Cathaoirleach, Cllr. Alan O’Callaghan chaired the meeting.

Item 1 Minutes of Killaloe MD Meeting held on 16th November 2022

The Minutes of Killaloe Municipal District Meeting held on 16th November 2022 were adopted having been proposed by Cllr. Joe Cooney and seconded by Cllr. Pat Hayes.

Item 2 Matters Arising

Cllr T O’ Brien requested an update on the charging points for the now noted two locations in Killaloe town. A/SEE Derek Troy indicated CCC were awaiting quotations from the ESB in relation to this matter. Cllr P Hayes noted to the meeting the very recent announcement at National level of €100 million for charging points to be installed every 60k kilometers across the road network.

Cllr T O’ Brien mentioned the notices issued re upcoming works at Crossroads, Killaloe and welcomed the progress.

Cllr P Hayes queried the if it was possible to seek a meeting with Irish Rail regarding the reopening of Crusheen Station. Brian McCarthy indicated he was meeting a number of

stakeholders regarding some background work and research on the topic and considered that having regard to the recent Climate Action Plan and the soon to be adopted Clare County Development Plan 2023-2029 it would be timely to contact Irish Rail to request a meeting and he would do so.

Cllr TO' Brien requested a review of the Standing Orders as mentioned at the previous meeting, to allow MD meetings to be held at the earlier time of 9.30am on an ongoing basis.

Cllr P Hayes highlighted the ongoing issue of flooding on the River Graney and the issues caused as a result. Cllr Hayes indicated to the meeting that a solution needed to be found or the issue would be out of control in the near future due to large catchment area of the river. Cllr Hayes hoped the issue would be a 2023 project.

A/SEE Derek Troy in reply to Cllr T O' Brien informed the meeting that the footpath works in Crossroads had not commenced due to the freezing weather conditions and low road temperatures.

A/SEE Derek Troy in reply to Cllr P Hayes indicated a survey of the River Graney would take place in 2023 to highlight issues and blockages and their locations.

Cllr A O'Callaghan queried who bore the cost of charging points, A/SEE Derek Troy replied saying CCC arrange and pay to apply for the charging points and the project to install is then won by way tender process.

Cllr J Cooney commented that it was great to see works underway on the footpaths in Tulla, however Cllr Cooney questioned the update on the design of the footpaths works proposed for Chapel Street, Tulla and trusted due to the delay that there would be funding for this project in 2023. A/SEE Derek Troy indicated that works planned were due to commence shortly. He also informed the meeting that further plans for the paths at Chapel Street were being designed by the Road Design team and that a separate contractor would have to be appointed to that contract. Cllr J Cooney highlighted his concern that there would be funding in 2023 for this project.

Item 3 Set date for next meeting

It was agreed the next Killaloe MD meeting be provisionally arranged for Wednesday 22nd March 2023 in the Killaloe MD Offices, Scarriff. at 9.30am.

Item 4 Notice of Motion from Cllr. J Cooney:-

“That Clare County Council give an update on the connection of the walking trail to the footpath in Tuamgraney village on the R463 Scariff/Killaloe Road.”

Proposed by Cllr. J Cooney

Seconded by Cllr. T O’ Brien

Reply from Derek Troy, Acting Senior Executive Engineer

“Killaloe MD has submitted this project proposal to Clare County Council Road Design section, for consideration under the National Transport Authority (NTA) Active Travel funding programme, It is expected that the 2023 funding approvals will be announced in the coming weeks. If this project does not receive funding, then alternative funding streams will need to be considered”.

Cllr J Cooney welcomed the great work done, but highlighted the section remaining undone and the link was needed to be completed once funding would be available, under Active Travel or alternative funding for 2023. Cllr Cooney was happy with the reply and hopeful for works to commence in 2023.

Item 5 Notice of Motion from Cllr. J Cooney

“That Clare County Council carry out footpath improvement works in Scariff on the Connaught Road near Longs Funeral Home, and at the entrance into the GAA facilities in the interest of road safety”.

Proposed by Cllr. J Cooney

Seconded by Cllr. P Burke

Reply from Derek Troy, Acting Senior Executive Engineer:

“Arising from this Notice of Motion, Killaloe MD will undertake an inspection on the Connaught Road, Scariff, (L4018) from its junction with the Market Square, to the speed limit.

The inspection will review the existing footpath, in terms of accessibility and surface condition and examine the options for the provision of new footpath sections, where possible. It is noted that the existing public road width is limited, which may restrict the scope of any footpath improvements proposed. Based on the results of the inspection Killaloe MD will explore funding streams to deliver the works identified. Similarly, Killaloe MD will undertake an inspection on Church Street, Scariff, (L8056) to identify area for improvement, in particular, between the Little Bridge and the entrance to Scariff FAA. This area could be considered for future Active Travel programme funding”.

Cllr J Cooney welcomed the reply and indicated the huge safety element involved at the entrance to Scariff GAA. Cllr Cooney highlighted that a big job may be necessary on the bridge adjacent to the grounds. Cllr Cooney said he was aware Killaloe MD were already working with Scariff GAA and was happy with this. In relation to Connaught Road Cllr Cooney said he was hopeful funding would be available in 2023 and mentioned GMA funding as a backup if necessary. Cllr Cooney commended the works at Derg View but highlighted that the paths on the main road had not been completed but were since completed and praised work well done.

Cllr P Burke seconded this motion and concurred with Cllr J Cooney in his assessment of the situation regarding the bridge adjacent to the GAA grounds. Cllr Burke suggested perhaps a pedestrian bridge inside the existing bridge would be an option. Cllr Burke also indicated to the meeting that the same situation arose in Mountshannon where pedestrians were on the main R352 walking over a narrow bridge with no footpath.

Cllr P Hayes also supported the motion and the work already happening with Scariff GAA. Cllr Hayes indicated there was already discussion regarding a pedestrian bridge inside the bridge as is now. Cllr Hayes said there is an urgency to this as it poses a significant safety issue.

Item 6 Notice of Motion from Cllr. A O’ Callaghan

“Ask the MD to carry out safety works at bad bends on Quin to Clare Inn road at Ballykilty”

Proposed by Cllr. T. O’Brien

Seconded by Cllr. P Burke

Reply from Derek Troy, Acting Senior Executive Engineer:

“In 2021 warning signage was installed to alert drivers of the narrow roadway at this location on the L3148 at Ballykilty/Ballyhannon. In addition, road carriageway edge markings were installed in November 2021. the road width is restricted by the boundary wall of Ballyhannon House, to the north and the River Rine, to the south, making any improvement works difficult. Killaloe MD have not received any recent reports of drivers experiencing issues at this location. There are currently no plans in place to undertake roadworks at this location, however Killaloe MD will again review to establish if additional measures could be implemented”.

Cllr A O’ Callaghan thanked A/ SEO for the reply and indicated this was an ongoing issue. Cllr O’ Callaghan sad it was a very busy road area for drivers and pedestrians alike and would like to keep the issue highlighted. Cllr O’ Callaghan had been informed of three incidents at this location in early January.

Cllr P Burke in seconding the motion, said there was merit for improvement works but equally acknowledged it was a tricky situation due the confines of boundaries on all sides.

Item 7 Notice of Motion from Cllr. A O’ Callaghan:-

“In light of yellow warnings for high winds that a survey be carried out in this MD on roadside tree’s especially ash, where the die back has set in”

Proposed by Cllr. A O’ Callaghan

Seconded by Cllr. P. Burke

Reply from Derek Troy, Acting Senior Executive Engineer:

In 2022, Killaloe MD identified a number of trees for Arboriculture Safety Assessment Reports to be undertaken by a member of the Society of Irish Foresters (MSIF) Certified Arborist. These reports are required to establish the tree condition and to determine if there was a potential risk to the public. The selection of the trees was based on inspections and on concerns raised by community groups and by the pubic and are located in public spaces for which the Local Authority has responsibility for. The assessments have been received and based on the assessments, it is expected that removal of dangerous trees will be undertaken early in 2023. Killaloe MD intends to continue this selective process going forward.

The requirements of Section 70 of the Roads Act 1993 – the owner or occupier of land shall take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road – apply to all landowners, including the Local Authority.

The Forestry Act 2014 contains the main provisions for the felling of trees. Under this act it is an offence for any person to uproot or cut down any tree unless the owner has obtained permission in the form of a felling licence from the Forest Service. There are some of the exceptions where a felling licence is not required, including a tree certified by the local authority as dangerous to road traffic on account of age or condition or being felled under Section 70 of the Roads Act 1993. (www.crann.ie)

Section 40 of the Wildlife Act 1976 (as amended), states that 'It shall be an offence for a person to cut, grub, burn or otherwise destroy, during the period beginning on the 1st day of March and ending on the 31st day of August in any year, any vegetation growing on any land not then cultivated.' This shall not apply in relation to the felling, cutting, lopping, trimming or removal of a tree, shrub, hedge or other vegetation pursuant to section 70 of the Roads Act 1993. (www.irishstatutebook.ie).

Clare County Council and Killaloe MD are mindful of these Acts and obligations in the undertaking of works to and care of trees.

Cllr A O' Callaghan put it to the meeting that all ash trees should be felled due to the widespread ash die back disease, this should happen without a survey due the severity of the disease.

Cllr J Cooney supported the mooring a questioned who's responsibility it was to maintain these trees.

A/SEE Derek Troy informed the meeting that if the trees were in a public space, it would be the responsibility of Clare County Council. Mr Troy continued to say that the responsibility of tree maintenance was similar to the cutting of hedges. It is by legislation the responsibility of the landowners. Cllr J Cooney asked is there a way to make it compulsory for landowners to maintain overhanging and dangerous trees and reduce tree height for safety purposes. Cllr A O' Callaghan reiterated his point to have all ash trees removed and questioned if a survey could be carried out. A/SEE D Troy answered by saying a survey of the Local Authority on roadside trees in the MD would be an extremely time consuming and costly exercise. However, Mr Troy

indicated to the meeting that he would seek further advise on the ash die back situation, as this is a national issue going forward also. Cllr P Burke visited the issue as to having regular inspections and A/SEE D Troy referred to the crann.ie website and the details and recommendations therein.

Cllr A O' Callaghan also mentioned that roots of large trees were also an ongoing issue, on roadsides.

Cllr P Hayes in support of the motion wished to highlight the issue of ivy on trees as a big problem also. Cllr Hayes queried the hire of contractors to carry out maintenance of roadside trees and enlist the help of landowners to complete a program in order to correctly maintain the ongoing issue. Cllr Hayes the cost to landowners is significant and there will be a big burden on all in the coming years.

Anne Haugh Director of Services recommended seeking further advise and raising the issue wider as this will be a significant issue for all Local Authorities in the immediate future. Ms Haugh said that advise will need to be issued centrally on the issue and considered this issue be brought to a full Council meeting.

Item 8 Notice of Motion from Cllr. T. O'Brien:-

“That large welcome signs be erected on both entrances to Killaloe town, from the Scariff side and the Limerick side welcoming people to the town and that the signs would also reference the towns Twinning/Sister City relationship with New London, Wisconsin, USA.”

Proposed by Cllr. T O' Brien

Seconded by Cllr. J Cooney

Reply from Derek Troy, Acting Senior Executive Engineer:

As part of the Killaloe Bypass, Shannon Bridge Crossing and R494 Improvement Scheme, there is an extensive directional signage plan to be installed at approaches to Killaloe and on the Bypass itself. Killaloe MD is liaising with Clare County Council Project Management Office (PMO), and with Tipperary County Council, to advocate for the design of an appropriate and consistent tourism welcome signage scheme. The welcome signage should be designed to be in

accordance with the Killaloe-Ballina Town Enhancement and Mobility Plan 2022, and complement the Killaloe Bypass directional signage in terms of content and location.

Cllr T O' Brien indicate he was happy with the response and was keen to ensue Killaloe twinning featured on all signage and questioned would this happen. Cllr O' Brien said he was aware some signage was happening as part of the Killaloe/Ballina Town Plan.

Cllr J Cooney in seconding the motion and welcomed that signage was on the way.

Item 9 Notice of Motion from Cllr. T O' Brien

“That warning signs and advance notice signage be put in place on the approach to the traffic lights at Newtown Killaloe outside the Killaloe hotel.”

Proposed by Cllr. T O' Brien

Seconded by Cllr. A O'Callaghan

Reply from Derek Troy, Acting Senior Executive Engineer:

In accordance with Traffic Signs Manual - Chapter 6 - Warning Signs, 'traffic signals ahead' (traffic lights) warning signage is recommended, but not mandatory, on roads with a speed limit greater than 60km/h. The signs may also be erected on roads within speed limits less than 60km/h where, in the opinion of the Road Authority, high approach speeds or inadequate visibility of the signal heads create a potential hazard. These traffic signals ahead advance warning signs are already in place at the existing traffic signals at Newtown, Killaloe, which is located within the 50km/h speed limit on the R463.

Cllr T O' Brien indicated this set of traffic lights were unique in location. Cllr O' Brien said cars fail to see the lights on the left hand side going out of Killaloe town on a regular basis, Cllr O' Brien requested further signage and advance warning of the traffic lights. Cllr O' Brien also indicated that in turning left on exiting the hotel the lights are not clearly visible for road users. Cllr O' Brien said it is unusual to see traffic lights on a regional road and the irregularity of this type of lights is causing an issue.

10 Notice of Motion from Cllr. P Hayes:-

“I am asking that the footpaths in Flagmount village be upgraded, and also the provision of a new footpath to the Merriman Court estate.”

Proposed by Cllr. P Hayes

Seconded by Cllr. J Cooney

Reply from Derek Troy, Acting Senior Executive Engineer:

Arising from this Notice of Motion, I wish to confirm that Killaloe MD will commit to undertaking a condition survey of the existing footpaths in Flagmount Village. This survey will identify areas that require repair or replacement and will also take account of the recommendations of the Flagmount Village Study - Opportunities for Growth and Revitalisation (January 2020). As part of the survey, the feasibility of creating the 320m footpath link to Merriman Court will be considered. This element may be suitable for funding submission to the NTA under the Active Travel programme.

Cllr P Hayes welcomed the reply and said the pathway was in very poor condition and low-lying parts also. Cllr Hayes said it would complement the estate to have the paths upgraded. Cllr Hayes said the road was sheltered and very dangerous. Cllr Hayes queried if this could be included under an Active Travel application.

Cllr J Cooney concurred with Cllr Hayes and agreed in principal that all footpaths in all villages needed a vast amount of upgrading.

11 Notice of Motion from Cllr P Hayes

“I am asking that Clare Co Council to find solutions to address the ongoing flooding issues at Ayle Feakle on the Feakle Tulla road.”

Proposed by Cllr. P Hayes

Seconded by Cllr. J Cooney

Reply from Derek Troy, Acting Senior Executive Engineer:

I wish to confirm that this location, on the L4056, is being considered for drainage improvement works under the 2023 Schedule of Municipal District Works for Killaloe, as part

of the Climate Adaptation funding programme. Flooding at this location was evident in early January following a number of days of above-average rainfall.

Cllr P Hayes indicated this had been a previous issue and effects the entire catchment area and Cllr Hayes stressed a major issue was pending. Cllr Hayes said this issue at Ayle was at the end of the catchment area and was onto the road on a continuous basis. Cllr Hayes indicated it was not sustainable going forward. Cllr Hayes felt that drainage alone will not help, and said the road needed to be raised and Cllr Hayes welcomed the banking works completed. Cllr Hayes also indicated that back flooding needs to be watched also.

Cllr J Cooney in seconding the motion indicated the flooding was a serious issue and it was time to clean the rivers. Cllr Cooney also indicated the same issue arose in Dooras but in this situation an alternative road was available to residents affected. Cllr Cooney asked who had responsibility for the rivers. Cllr Cooney said it was necessary to determine this and not highlight the flooding issue on the roads and roads were raised but cannot continue to be raised. Water is being held in the rivers and the riverbeds need to be cleaned out and it is now very necessary to find out who holds this responsibility.

Cllr P Burke commented that there had been above average rainfall and many newly resurfaced roads were flooded as a result. Cllr Burke acknowledged the manpower is not in the MD to release all flooded roads. Cllr Burke said it was disappointing to see completed works damaged. Cllr Burke said the loss of men on the ground opening gullies and inlets was a loss, but acknowledged this type of work was not now possible due to Health and Safety constraints.

A/SEE Derek Troy said that as with the previous response, responsibility lies with the Office of Public Works, Local Authorities and landowners in maintaining drains and of flow of water. Mr Troy said that Clare County Council was responsible for drainage of the Lower Grainey river and the upper wider part of the river was the responsibility of the landowners. Mr Troy hoped that a survey of Lough Grainey would happen in 2023 and result would be seen from this.

Cllr P Hayes said the catchment area travelled into a lot of areas as far as Ballinahinch. Cllr Hayes indicated there were many obstacles involved. The cost to landowners in requiring drainage at the wider part of the river was not to be overlooked also. Cllr Hayes also indicated that work on draining had to be carried out prior to the months of September and October. Cllr Hayes finished by saying the issue was extremely urgent.

12 Notice of Motion from Cllr. P Burke:-

“Calling on Clare County Council to carry out a survey of public lighting in the villages of Mountshannon and Whitegate and to correct any deficiencies.”

Proposed by Cllr. P Burke

Seconded by Cllr. P Hayes

Reply from Derek Troy, Acting Senior Executive Engineer:

Arising from this Notice of Motion, I wish to confirm that Killaloe MD will commit to undertaking a condition survey of the existing public lighting in Mountshannon and Whitegate. County Clare is part of the South-west region which is in the first phase of the Public Lighting Energy Efficiency Project (PLEEP) currently underway. This project is led by Cork County Council. PLEEP South-west will upgrade 77,162 public lights across Cork County, Clare, Kerry, Limerick and Waterford. The project aims to convert Local Authorities public lighting to LED luminaires, which will improve energy efficiency, cut costs and reduce CO2 emissions. Following a competitive tender process, the works contract for the South-west Region was signed between Cork County Council and Le Chéile Consortium in January 2022. (www.publiclighting.ie). Currently, the expected timeline to commence surveying under the PLEEP project in the Killaloe MD is May 2023, with the physical improvement works to be undertaken from September 2023, to April 2024.

Cllr P Burke thanks A/SEE D Troy for the reply and for the information contained, he also welcomed that the survey will be undertaken to correct deficiencies.

A/SEE D Troy said the primary lighting in some areas was poor and light was not filling all areas required.

Cllr Burke said the motion is to fill gaps and black spots in each village and perhaps all villages would benefit from the same survey.

A/SEE said a KMD survey in whole MD may be carried out later in the year.

Cllr P Hayes said there was a lack of efficiency in public lighting. Cllr Hayes added the new lighting was very poor and gave less light. Cllr Hayes also indicated that lighting is hindered by high trees and that this caused dark spots in villages. Cllr Hayes requested the survey be undertaken at dark and a correct assessment of dark areas ascertained. Cllr Hayes said the

village of Flagmount was similar to Mountshannon and Whitegate, and suggested the removal of any trees hindering the scope of public lighting.

Cllr T O'Brien supported the motion and welcomed the survey. Cllr O' Brien highlighted that the Main Steet in Killaloe is the same as mentioned villages due to lantern lighting not having the same effect as previous lighting. Cllr O' Brien concurred with Cllr Burke that the survey will identify missing bulbs and hindered lighting.

Cllr A O' Callaghan said the new infrastructure in Kilmurry had made a significant difference in Kilmurry village.

13 Notice of Motion from Cllr P Burke

“Calling on Clare County Council to include the Bohatch to Corrakyle road in this year’s roadworks programme. This is an important link road between two communities and is part of the East Clare Way.”

Proposed by Cllr. P Burke

Seconded by Cllr. P Hayes

Reply from Derek Troy, Acting Senior Executive Engineer:

I wish to confirm that this road (L80262) is being considered for road restoration improvement works under the 2023 Schedule of Municipal District Works for Killaloe. The schedule, which is subject to available funding, is currently being drafted, with all road works being prioritized based on pavement condition surveys and traffic volume.

Cllr P Burke indicated this was a much-used shortcut and a really busy road for both traffic and walkers as it was part of the East Clare Way route. Cllr Burke indicated he was happy with the reply and was very welcome news.

Cllr Burke said the road was good to a certain point but needed to be completed between two points to join the better road surface together. Cllr Hayes fully supported the motion saying many farmers used the road and if improved proved huge potential for more walkers to use the route. Cllr Hayes indicated his hope that the road would be upgraded to a suitable standard.

A/SEE Derek Troy indicated to the meeting that depending on funding available the project may span over 2 years, there were no residents on the road and it had not been prioritised until now.

14 Any other business.

Cllr T O' Brien wished to inform the meeting that the Joint Policing Committee in conjunction with Age Friendly Ireland, have initiated a provision of all emergency contacts to those living alone in rural areas.

Cllr O' Brien also wished to inform the meeting that the twinning grant application was now open and that both he and Cllr P Hayes were on the committee.

Cllr P Hayes requested an update on the Greenway from Limerick to Scariff. Senior Planner and Killaloe MD Coordinator Brian McCarthy replied saying there were ongoing discussions with landowners and as such no current update, however he indicated there was merit in requesting a formal briefing for the Members by Waterways Ireland on the project.

Cllr J Cooney offered a vote of sympathy to Flan Murray and family on the passed of his father JB Murray.

Cllr J Cooney wished to thank the staff of the MD for their response to the recent harsh weather, indicating great work was done by all involved.

Cllr A O' Callaghan requested an update on the flooding at Ballycar railway line. A/SEE Derek Troy replied saying there was no current update and that an update would be provided for the next meeting for Ballycar and Derra Kilkishen.

The meeting concluded.

Brian McCarthy

Senior Planner & Killaloe MD Coordinator

22nd March, 2023