

**Minutes of the Shannon Municipal District meeting held on Wednesday
25th March 2015 at 9:45 am at the Offices of the Municipal
District, Town Hall, Shannon, Co. Clare.**

Present: Councillors Cathal Crowe (Cathaoirleach), Pat McMahon, PJ Ryan, Gerard Flynn, Mike McKee & John Crowe

Mr Niall Barrett, area co ordinator, Mr Eugene O' Shea senior executive engineer, Pádraig Malone, staff officer, Michael McNamara, senior executive officer, Corporate Services, Geraldine Corbett senior staff officer Community & Enterprise, Leonard Cleary senior executive officer, Housing, Gordon Daly senior planner, Planning and Enterprise, Kevin Thompstone, Derek Barrett and Eoin Hctor from The Venue Group and Fiona Mooney, meetings administrator.

1. Minutes of Meeting held on 20th January 2015

Cllr Flynn asked that the March minutes record that the discussion on the Kilquane burial ground had included that the chairman was to seek a meeting with the chief executive officer about the matter.

The minutes of the meeting held on 20th January 2015 were proposed by Cllr Ryan, seconded by Cllr Crowe and agreed.

2. The Shannon Venue

The Shannon Venue representatives were welcomed by the chairman. Kevin Thompstone gave a presentation about the €8m project and updated on the progress to date. All present praised the project and its progress. The request to members was for the Shannon Venue to be the capital project focus for the Council's funding plans. The members expressed their support for the project and its potential for the town and the district.

Cllr G Flynn requested item 9 of the agenda to be dealt with after the Shannon Venue item and this was agreed. At this point a group of students from St Patrick's Comprehensive School, who had done a project on circus animal welfare, attended the meeting.

9. Notice of Motion submitted by Cllr Gerry Flynn

Cllr Flynn welcomed three students from St Patrick's Comprehensive School who had corresponded with him about their animal welfare project, which was part of their CSPC curriculum.

Ar moladh Cllr G Flynn

Cuidithe ag Cllr M McKee agus glacadh leis:

“Having recently been contacted by students in St Patrick’s Comprehensive School, Shannon, concerning the keeping of animals by circuses for entertainment, I am requesting information from Clare County Council.

- a) What regulations Clare County Council employ within the county to inspect this activity?***
- b) Do Clare County Council request the representative from the ISPCA to monitor the conditions animals are kept in or transported throughout the county.”***

James Barry SSO replied as follows:

“In Clare County Council’s Environment Section we deal with “Control” of Dogs and Horses legislation. We do get calls from time to time about animal welfare issues and we refer the callers to DAFM as the Dept of Ag introduced the Animal Health & Welfare Act, 2013.

I am aware that when the Minister for Agriculture, Simon Coveney, did introduce the Animal Health & Welfare Act, 2013 that he did specifically say:

“With regard to animals performing in circuses I do not intend to interfere with legitimate recreation and sporting events, including the use of animals in circuses, provided that they are carried out in a proper manner and no unnecessary suffering of the animals is involved.”

I am also aware that some local authorities have supported motions for the banning of the use of animals in Irish circuses.

Fingal County Council did pass a Motion:

“That Fingal County Council supports the introduction of by-laws or other measures which would ensure that circuses which use wild animals are prohibited from performing in any part of the local authority area in light of the well documented evidence of suffering endured by the animals involved and the serious animal welfare issues raised. I’m not sure when Fingal passed the above motion.

After a public debate, on RTE’s Liveline programme the ISPCA called for the urgent introduction of legislation regarding the use and importation of wild animals in Ireland. The ISPCA said that there is no legislation, presently, specific to wild animal welfare in Ireland. The ISPCA said that there is a need for legislation to cover wild and exotic animals to cover welfare and private ownership which is currently unregulated”.

Having read out some of the letters on the issue from the students, Cllr Flynn proposed that Clare County Council invite the students to give a presentation at the main Council meeting and this was seconded by Cllr McKee. The meetings administrator was requested to send a letter to Minister Coveney supporting a ban on animals being used in circuses.

3. Disposal of land at Ballycasey Grove, Shannon Co. Clare

Mr M McNamara outlined the current proposed freehold disposal, which was in line with earlier disposals to adjacent properties. He confirmed that the B & B had been written to but there had been no reply.

Following discussion, the disposal was proposed by Cllr McKee and seconded by Cllr Ryan and agreed. Cllr G Flynn disagreed with the proposed disposal of the land. Members supporting the proposal agreed that the disposal should be conditioned on the matter of planting at the rear of no. 19 along the new property line. Mr. McNamara confirmed that

wayleaves are always secured where services are on a property, and this would be part of this disposal also.

At this point of the meeting the chairman proposed suspending the standing orders to allow for completion of business. Cllr McKee seconded and all agreed.

4. Lands at Illaunmanagh, Shannon

Mr M McNamara advised that the Council had been written to and requested to consider disposing of lands as specified in the proposal. He confirmed the land was in the freehold ownership of the Council. The proposed disposal had been rejected at full Council in July of 2014. Cllr Flynn indicated his opposition to the proposal and cited that the site was too small and not appropriately positioned. Cllr McKee indicated that he had originally disagreed with the disposal but reported that recent research by him indicated there was a high degree of public support for there being a crematorium in Shannon. With the exception of Cllr Flynn, the members supported the item going to the full Council for decision.

5. & 6. Roads Programme/Draft Schedule of Municipal District Works (SMDW) for 2015

A presentation was made by Mr Tiernan about the roads programme which was presented differently this year. Allocations were identified for each municipal district separately according to a draft schedule of works. The draft schedule included road grants as well as other services. He confirmed that roads funding allocations to the Council were significantly reduced over recent years and indicated that it was important to highlight that current funding levels are insufficient to meet the range of road maintenance needs and are unsustainable.

Mr Tiernan introduced the draft Schedule of Municipal District Works and made specific reference to the roads elements of the schedule, particularly as set out in appendix 3 which included the allocations for the Shannon municipal district. Mr Tiernan noted for members that since the dissolution of town councils, the 'block grant' had been absorbed into other grant types. €280K discretionary funding was included for the municipal district which would provide the potential to respond during the year as issues arose.

Mr Cleary, senior executive officer, made specific reference to the housing elements of the draft schedule and outlined the provision included for the district. The relative higher unit cost of traveller accommodation was acknowledged.

Following discussion, Cllr Crowe thanked the executives for attending and the draft schedule was proposed by Cllr Flynn, seconded by Cllr Ryan and agreed.

7. Nominee to Shannon Twinning Association

Cllr M McKee was proposed by Cllr J Crowe, seconded by Cllr Ryan and agreed.

8. *Consideration of Draft Submission on CEDRA report*

Mr. G Daly outlined the draft submission for consideration by the members and advised that the next meeting of the CEDRA working group was on 13th April. All present welcomed the draft and agreed it was important not only to develop new initiatives as proposed but to ensure consolidation and continuation of existing services, such as health centres, post offices, Garda stations. All agreed that tourism was very important to the Shannon Region and the Venue project in Shannon was referred to as another significant initiative in this regard. Mr. Daly welcomed the positive feedback that had been given.

10. *Notice of Motion submitted by Cllr Gerry Flynn*

Ar moladh Cllr G Flynn

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That Ruth Hurley, Housing Section, be requested to design a project for the main roundabout at the town centre, Shannon, and also the public area to the front of the Drumgeely shopping area, and this be done in consultation with senior engineer, Eugene O’Shea and elected members.”

L Cleary replied as follows:

It is acknowledged that this is an important site for Shannon Town Centre. It is proposed that when resources permit the SEA will liaise with the SEE Shannon. This project will need the input of Planning and Roads Department together with the Elected Members.

Cllr G Flynn stated that he hoped all concerned would get behind any proposals for the above location.

In the course of discussion, the St Patrick’s Day parades in Shannon and Sixmilebridge and their organising committees were praised and it was agreed to send a letter acknowledging their success to the organising committees.

11. *Notice of Motion submitted by Cllr Gerry Flynn*

Ar moladh Cllr G Flynn

Cuidithe ag Cllr M McKee agus glacadh leis:

“That Clare County Council put in place off-road parking on Fergus Road or widen the road with an additional lane to facilitate safer use of the roads in this area. Currently traffic exiting Corrib Drive has great difficulty due to sight lines being impaired from parked vehicles.”

E O’Shea replied as follows:

The installation of off-road-parking or the widening of Fergus Road are beyond the current resource capability of the Shannon Municipal District. Elimination of the cause of the impaired sightlines will be considered in the first instance.

Cllr G Flynn said he was disappointed with the reply. Cllr M McKee stated that some road widening would make a big difference in terms of sightlines.

12. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr Mike McKee

Cuidithe ag Cllr G Flynnne agus glacadh leis:

“That the SMDC arrange for the removal of debris which has accumulated at Purcell Pk after last year’s storms and is beginning to be used as a dumping ground.”

E O’Shea replied as follows:

Arrangements will be made to have this debris removed as soon as possible.

Cllr McKee welcomed the reply.

13. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M McKee

Cuidithe ag Cllr Cathal Crowe agus glacadh leis:

“That SMDC investigate the possibility of Shannon becoming a 'smoke free' town in relation to the burning of coal.”

B Eccles replied as follows:

Smokeless fuel regulations are administered nationally by the Department of the Environment, Community & Local Government (DoECLG) in conjunction with the Environmental Protection Agency (EPA). The inclusion of any town or area in the national regulations is governed by several factors including population, location, land-use and geography. Shannon is not currently covered by the regulations which were last updated and extended in 2011.

If a consensus exists within Shannon Municipal District/Clare County Council that Shannon should be included in the next update/extension of the regulations, the Environment Section would support that aspiration and may be able to make representations to the DoECLG and the EPA on the matter.

Cllr McKee welcomed the reply. Cllr G Flynn expressed concern about the higher cost of smokeless fuel. Following discussion, the motion was passed with one opposer and three abstentions.

14. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That this Municipal Authority would carry out repairs to timber fencing at Owengarney Court, Sixmilebridge. It is essential that this repair work is carried out immediately as there is a health and safety issue for young children playing in the green area.”

E O’Shea replied as follows:

Repairs to this fencing will be undertaken at the earliest opportunity subject to available resources. It is noted that there is a considerable quantity of garden waste being dumped illegally behind this fence and that this dumping is also impacting on the stability of the fence.

Cllr Ryan expressed his satisfaction with the reply.

15. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That this Municipal Authority would request that Brickhill housing Estate at Gallows Hill Lower Cratloe be taken in charge by Clare County Council.”

B Haugh replied as follows:

This development (Brickhill West) is not included in our current register of estates and will be added to the register for file review and subsequent inspection in due course.

Cllr Ryan was satisfied with the reply.

16. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr M McKee agus glacadh leis:

“That this Municipal Authority would carry out maintenance of the cycle lane from the roundabout at St.Caimins School to the roundabout at St.Senans Rugby pitch as it is very overgrown and covered in moss.”

E O’Shea replied as follows:

These necessary works will be undertaken as soon as possible.

Cllr Ryan welcomed the reply.

17. *Notice of Motion submitted by Cllr Pat McMahon*

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That Clare County Council reduce the speed limit from 80 kph to 50 kph in the vicinity of the Wells School due to the excessive speed by a minority of motorists.”

E O’Shea replied as follows:

This proposed reduction in speed limit from 80km/h to 50km/h will be considered in the context of the next county-wide review of speed limits.

Cllr McMahon welcomed the reply.

18. *Notice of Motion submitted by Cllr Pat McMahon*

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr J Crowe agus glacadh leis:

“To ask Clare County Council for an update on the taking in charge of Gleann Cora, Newmarket On Fergus.”

E O’Shea replied as follows:

This development has been the subject of a Site Resolution Plan which was finalised by all parties at the end of February 2015. Clare Co. Council understands that this document has been referred to NAMA and AIB in relation to the completion and funding of the agreed works.

Cllr McMahon was satisfied with the reply.

19. *Notice of Motion submitted by Cllr Pat McMahon*

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“To ask Clare County Council for an update on the taking in charge of Botheroan, Newmarket On Fergus.”

B Haugh replied as follows:

The Planning Authority prepared an indicative scope of the works pertaining to this development and in the absence of engagement from the Receiver, the Planning Authority made a formal claim on the bond in order to complete this development to Taking in Charge standard.

Subsequently, an Agent on behalf of the Receivers contacted the Planning Authority in order to agree the schedule of works required to complete this development to taking in charge standard. An agreed schedule of work has been notified to the Agents for completion and we understand that such works are the subject of an application for funding.

The Planning Authority has also substantiated our claim on the bond pertaining to this development.

Cllr P McMahon was satisfied with the reply.

20. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That Clare County Council, in an effort to improve pedestrian safety in the Westbury estate, devise an effective traffic-calming system and install concrete standing platforms at all bus stops.”

E O’Shea replied as follows:

The Department of Tourism Transport and Sport sees the increased use of a 30km/h speed limit in residential areas as a measure that will help to reduce vehicle speeds in housing estates so as to improve safety for pedestrians and cyclists and especially children. The Westbury estate is one of the estates in the Shannon MD chosen to pilot the use of 30km/hr signage. Subject to public consultation and the adoption by the council of the necessary bye-laws it is envisaged that this 30km/h signage will be erected over the next few months.

There are footpaths in close proximity to some of the bus stops in Westbury but, where this is not the case, the installation of hard standing platforms where no footpath currently exists will be considered in the context of available funding in the 2015 Roadworks Programme.

Cllr C Crowe stated that members of the public standing on grass margins was not ideal and requested that the Council have regard to this in the 2015 Roadworks Programme.

21. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr G Flynn agus glacadh leis:

“That Clare County Council widen the remainder of the School Road in Parteen.”

E O’Shea replied as follows:

The continuation to Parteen village of the roadworks completed in 2014 on the L-3060 from Larkin’s Cross is desirable. There are however a number of obstacles to be overcome not least of which is to identify a source of funding. Based on current funding levels these works are unlikely to proceed in the short-term.

Cllr C Crowe was not satisfied and hoped that funding would be identified to carry out works on the busy route.

22. *Notice of Motion submitted by Cllr Cathal Crowe*

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That Clare County Council lower the earthen embankment, paint new line markings, erect new approach signage and remove over-grown vegetation at Gavin's Cross, Meelick.”

E O’Shea replied as follows:

Arrangements will be made to inspect this location and to consider all factors affecting the safe movement of vehicles on the approaches and at the junction itself. Subject to availability of resources improvements will be carried out at the earliest opportunity.

Cllr C Crowe was satisfied with the reply.

23. *Notice of Motion submitted by Cllr John Crowe*

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That Clare County Council erect the proposed 30 kph speed limit signs in the housing estates of the Shannon Municipal District with immediate effect.”

E O’Shea replied as follows:

The placing of new 30km/h speed limit signs in residential developments in the Shannon Municipal District will commence following public consultation and adoption by the council of new bye-laws necessary for their enforcement by the Gardai.

Cllr J Crowe welcomed the reply.

24. *Notice of Motion submitted by Cllr John Crowe*

Ar moladh Cllr John Crowe

Cuidithe ag Cllr M McKee agus glacadh leis:

“That Clare County Council carry out a survey of the road between Ministers Cross and Cappagh Cross as there have been numerous accidents on this stretch of road over the last 12 months.”

E O’Shea replied as follows:

Arrangements will be made at the earliest opportunity to undertake a survey on this busy stretch of the R471 regional road between Shannon and Sixmilebridge. An assessment, involving local Gardai, will also be undertaken, of accidents that have occurred in recent times in order to determine any common causative factors and what, if any, preventative measures may be required.

Cllr J Crowe was satisfied with the reply.

25. *Notice of Motion submitted by Cllr John Crowe*

Ar moladh Cllr John Crowe

Cuidithe ag Cllr M McKee agus glacadh leis:

“That Clare County Council carry out general repairs to the surface of the road in Church View estate, Sixmilebridge paying particular attention to the areas in and around manhole covers.”

E O’Shea replied as follows:

Subject to available resources necessary repair works on the road surface in Church View, Sixmilebridge will be undertaken as soon as possible.

Cllr J Crowe was satisfied with the reply.

26. *Correspondence & AOB*

1. Letter received 16th January 2015, response to November 2014 motion regarding Limerick Smarter Travel;
2. Email received 13th March 2015, response to November 2014 motion regarding Irish Water attending a meeting of the Shannon Municipal District.
With regard to the reply from Irish Water, most members agreed that they would not engage with IW in committee, although Cllr McMahon would engage with them in committee due to the need for engagement on the issues. On the proposal of Cllr Ryan, seconded by Cllr McKee, it was agreed to write to Irish Water again seeking a meeting open to the public.
3. Letter received 24th March regarding special meeting on Social Housing Strategy. Following discussion it was agreed that a special meeting would be convened on 30th March, 2015 at 1.30pm.

Signed: _____
Cllr Cathal Crowe, Cathaoirleach

Signed: _____
Fiona Mooney, Meeting Administrator

Date: _____