

**Minutes of the Shannon Municipal District Meeting held on  
Tuesday 12<sup>th</sup> July, 2016 at 9.45am at the offices of the Municipal District, Town  
Hall, Shannon, Co. Clare**

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

Eugene O'Shea Senior Executive Engineer; Orla Doolaghty A/Staff Officer; Fiona Mooney Meetings Administrator,

**Apologies:** Niall Barrett, Head of Finance

**1. Minutes of meeting of Shannon Municipal District held on 10<sup>th</sup> May 2016 (attached)**

Cllr John Crowe opened the meeting and welcomed all present. The minutes of the meeting held on 10<sup>th</sup> May were proposed by Cllr PJ Ryan, seconded by Cllr Gerard Flynn and agreed by all.

**2. Minutes of special meeting of Shannon Municipal District held on 2<sup>nd</sup> June 2016 (attached)**

The minutes of the special meeting held on 2<sup>nd</sup> June were proposed by Cllr Gerard Flynn,, seconded by Cllr PJ Ryan and agreed by all.

**3. Minutes of AGM held on 28<sup>th</sup> June, 2016 (attached)**

The minutes of the AGM held 28<sup>th</sup> June, were proposed by Cllr PJ Ryan, seconded by Cllr Pat McMahon and agreed by all.

**4. Meeting with Irish Water**

The meetings administrator had requested an attendance at a statutory meeting. No reply had been received. Members expressed disappointment with Irish Water and how they are dealing with complaints and communication. They expressed gratitude to the staff from Clare County Council on the ground for their work in recent weeks especially after serious burst in the Shannon Municipal area. Members wanted the item retained on the agenda.

**5. Road Works Programme**

The senior executive engineer briefed the members and outlined that surface dressing was substantially completed in early June, the road overlaying was currently out for tender, and repair of footpaths was ongoing in many areas. He further outlined that an additional €100,000 has been allocated from the severe weather allocations and this funding will be used for drainage and overlay works in Ballymorris and Ballintlea Cratloe.

A discussion ensued. Members requested works to be completed in Cratloe to include a pedestrian crossing. Cllr Cathal Crowe requested that the Road Design department attend an Autumn meeting to outline what projects are due for consideration. He further requested that works begin on the footpath

in Meelick as he had been informed that funding had been approved. Members also requested that works begin at Monument Cross.

Eugene O'Shea confirmed that funding will be required for a pedestrian crossing in Cratloe. Funding was received previously for works at Monument Cross but due to issues with residents this money was spent on another project. He was not aware of any funding approval for works to the footpath in Meelick but would check further.

Concern was expressed about the footpath closure fronting St Patrick's Comprehensive School. Mr O'Shea was requested to liaise with the company involved about the footpath closure.

#### **6. Notice of Motion submitted by Cllr Mike McKee.**

**Ar moladh Cllr Mike McKee**

**Cuidithe ag Cllr Gerard Flynn agus glacadh leis:**

"That the green area at the rear of numbers 135 to 138 Tradaree Court be removed to allow for car parking spaces".

**Eugene O'Shea Replied as follows:**

*In common with other residential developments in Shannon Town the demand for car parking spaces frequently exceeds the numbers of spaces available. As there is no allocation in the current Shannon MD works programme to undertake the works required to create additional spaces a source of funding will first have to be identified if the works are to proceed.*

In discussion, the senior executive engineer undertook to examine the criteria that were necessary for the designation of a space to any particular individual.

#### **7. Notice of Motion submitted by Cllr Mike McKee**

**Ar moladh Cllr Mike McKee**

**Cuidithe ag Cllr Gerard Flynn agus glacadh leis:**

"That the Council remove the hedging that borders the perimeter wall of number 10 Fearnog, Shannon".

**Eugene O'Shea replied as follows:**

*The hedging referred to consists of over-mature evergreen trees that were planted some years ago by the occupant of No.10. Many of the trees were planted outside of the property boundary without the permission of the Local Authority and appear to have received little by way of maintenance over the years. Given the foregoing the removal of these trees is a matter for the owner of the property.*

In discussion, members highlighted that trees should never be planted by householders outside property boundaries.

#### **8. Notice of Motion submitted by Cllr Mike McKee**

**Ar moladh Cllr Mike McKee**

**Cuidithe ag Cllr Gerard Flynn agus glacadh leis:**

“As the remedial work to be carried out on Tullyglass Hill is not due to commence for some time, I request that the Council survey the trees to the rear of the Grove, Shannon, to ascertain whether they are a danger to the residents, and if so, to have them removed as a matter of urgency”.

**Eugene O’Shea replied as follows:**

*Arrangements will be made at the earliest opportunity to have these trees assessed by an experienced arborist and appropriate action taken if required.*

9. Notice of Motion submitted by Cllr Pat McMahon

**Ar moladh Cllr Pat McMahon**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

“In view of the totally unacceptable condition of roads in Newmarket on Fergus village and the undertaking given to me by Irish Water and announcement regarding same, that Clare County Council urgently demand a meeting with Irish Water to have the matter resolved”.

In discussion, Cllr McMahon confirmed he had met Irish Water at Council headquarters on the 11<sup>th</sup> inst and put the case to them again. He agrees that works on the road cannot commence until pipes are laid by Irish Water, and wanted confirmation as to when the pipe laying by Irish Water would be completed.

10. Notice of Motion submitted by Cllr Pat

**Ar moladh Cllr Pat McMahon**

**Cuidithe ag Cllr Mike McKee agus glacadh leis:**

“In lieu of the takeover of Glenn Cora Estate, Newmarket on Fergus, that Clare County Council consider putting traffic calming measures in place especially between houses 6 to 22 ”.

**Eugene O’Shea replied as follows:**

*Consideration of traffic calming measures in this estate is premature pending the take-over of the estate by the Council. However it should be noted that the geometry of the road layout in Gleann Cora in terms of width and horizontal alignment does not easily lend itself to excessive speeds.*

11. Notice of Motion submitted by Cllr Pat McMahon

**Ar moladh Cllr Pat McMahon**

**Cuidithe ag Cllr Mike McKee agus glacadh leis:**

“Ask Clare County Council at what stage is the takeover of Lough Gash Estate, Newmarket on Fergus as the long suffering residents are frustrated at the lack of progress ”.

Bernadette Haugh replied as follows:

*A claim was made on the bond in relation to Lough Gash estate in October 2014 and a schedule of the outstanding works required to be carried out within this development together with a costing was sent to the bondholders in November 2014 to substantiate the Council's claim on the bond. Agents were appointed on behalf of the bondholders and the Planning Authority is in ongoing correspondence with the bondholders on this and other Ulster Bank bonded developments. However, the lack of engagement from the bondholders to date is hindering our ability to progress matters. We will continue to pursue our previous claim to enable this development to progress to taking in charge.*

In discussion, Cllr McMahon expressed the view that Clare County Council's legal team be instructed to contact the bond holders.

## 12. Notice of Motion submitted by Cllr PJ Ryan

**Ar moladh Cllr PJ Ryan**

**Cuidithe ag Cllr John Crowe agus glacadh leis:**

*"That this Municipal Authority would install traffic calming measures and concealed entrance sign on the junction of the Broadford/Sixmilebridge Road L3016, also traffic calming measures on the R462 at the same junction".*

**Eugene O'Shea replied as follows:**

*The two main traffic issues at this junction relate to (a) the speed of traffic approaching Sixmilebridge from the Kilmurry direction on the R462 and (b) the available sight distance at the junction for traffic approaching from the Broadford direction on the L3016.*

*In relation to (a) a traffic survey undertaken earlier this year indicated that speeds on the R462 approach were excessive and a driver feedback sign was subsequently installed as a means of calming traffic speeds.*

*In relation to (b) the vegetation that was planted at the junction outside the boundary of the Jamaica Inn premises has become heavily overgrown and is blocking available sight-lines at the junction. This vegetation needs to be removed or at the very least drastically cut back and arrangements will be made to have this work undertaken at the earliest opportunity.*

In discussion, Cllr Ryan had the view that strips to slow drivers on the R462 approach to Sixmilebridge was necessary and also, a 'concealed entrance' sign.

## 13. Notice of Motion submitted by Cllr PJ Ryan

**Ar moladh Cllr PJ Ryan**

**Cuidithe ag Cllr John Crowe agus glacadh leis:**

*"That this Municipal Authority would take in charge the Cratloe Woods Estate as there are major issues with access road and manhole covers".*

**Bernadette Haugh replied as follows:**

*A S180 request from the residents of Cratloe Wood estate was received on 5<sup>th</sup> May 2016. This development has been added to the Estates Team's programme of works for later this year for a site inspection in conjunction with the Shannon Municipal District engineer. A full assessment of the relevant planning files and associated conditions of the planning permissions will be undertaken and a status report will be prepared in relation to this development.*

Councillors requested urgency on the matter and reported that a number of vehicles had been damaged.

#### 14. Notice of Motion submitted by Cllr PJ Ryan

**Ar moladh Cllr PJ Ryan**

**Cuidithe ag Cllr John Crowe agus glacadh leis:**

"That this Municipal Authority would carryout repairs and resurface the Rossmanagher/Corcas Road".

**Eugene O'Shea replied as follows:**

*This road, the L71161, is a local tertiary road measuring approximately 2,350 metres in length. The first approx. 650 metres is in fair condition and provides access to a number of dwellings. The remaining 1,700 metres is in poor condition and provides access to farmlands along the banks of the Ratty River. Given current resource levels it will not be possible to undertake the works requested on this Local Tertiary road unless a source of funding can be identified for this purpose.*

Cllr Ryan requested that this road be included in the Road Works Programme.

#### 15. Notice of Motion submitted by Cllr Cathal Crowe

**Ar moladh Cllr Cathal Crowe**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

"That the Shannon Municipal District outline plans in progress and progress being made to tackle flooding problems in the Westbury / Shannon Banks area".

**Eugene O'Shea replied as follows:**

*Investigations into the causes of flooding at the Shannon Banks estate are progressing well and will be finalised shortly. Once investigations are complete works to prevent future flooding can commence. While there were no significant flooding problems during the December / January flood events in the Westbury estate it is intended to undertake some minor preventative works there over the coming months.*

In discussion, the senior executive engineer confirmed that the time for the works would be September/October. Cllr Crow outlined that works need to progress near the Scout Hall and requested the replacement of sandbags that had deteriorated. Notice of Motion submitted by Cllr Cathal Crowe

#### 16. Notice of Motion submitted by Cllr Cathal Crowe

**Ar moladh Cllr Cathal Crowe**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

“That the Shannon Municipal District remove all green waste that has been stockpiled in the Westbury estate.”

**James Barry replied as follows:**

*The case of green waste being dumped at Westbury is a case of illegal dumping. It is a result of individual householders not managing the disposal of their green waste, grass clippings, in an appropriate manner.*

*The Council agrees that the accumulation of this waste, together with the wet waste and WEEE waste, which is now also accruing at this location, be, on a once off basis, cleared up and that the cost of this be borne by the Council.*

*The details of how this can be best achieved, with 2016 budgets in mind, will have to be discussed further, between the Shannon Municipal District and the Environment Section. Clare County Council will issue letters to Westbury residents regarding the requirements to manage household waste in accordance with legislation.*

In discussion, members acknowledged that brown waste was the responsibility of householders. The senior executive engineer confirmed no budget was available within the district for the clean up and it would need to be funded centrally. The meetings administrator was asked to write to Environment to confirm this.

#### 17. Notice of Motion submitted by Cllr Cathal Crowe

**Ar moladh Cllr Cathal Crowe**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

“That the Shannon Municipal District erect inscribed boulder stones at 'Gallow's Hill' (Cratloe) and 'Fian Cross' (Meelick) as these are prominent locations and way-points used by walkers, cyclists and motorists”.

**Eugene O’Shea replied as follows:**

*While the locations referred to are located on well-used recreational routes in the Cratloe / Meelick area these are neither recognised trails nor way-marked routes as defined by the National Trails Office / Irish Sports Council. There are also obvious traffic safety implications to be considered in erecting large boulders on the roadside. It should also be noted that the Shannon MD does not have the resources to fund such initiatives.*

#### 18. Notice of Motion submitted by Cllr John Crowe

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr Cathal Crowe agus glacadh leis:**

“I request that the junction at Whytes cross be relined and upgraded for safety reasons.”

**Eugene O’Shea replied a follows:**

*Subject to available resources the road lining at this busy junction will be renewed at the earliest opportunity.*

19. Notice of Motion submitted by Cllr John Crowe

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

“From Cratloe shopping centre to the Woodcross, I am requesting that a pedestrian barrier be put up for the safety of children and public crossing the road. A large volume of children cross at this intersection to get to the GAA complex and with the volume of traffic using the road there is need for a major safety audit.”

**Eugene O’Shea replied as follows:**

*This location will be examined to determine the traffic safety issues present and the optimum location for a pedestrian barrier if warranted. The installation of such a barrier, if required, will be subject to available resources.*

20. Notice of Motion submitted by Cllr John Crowe

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr PJ Ryan agus glacadh leis:**

“Regarding the main square, Sixmilebridge, I am requesting that the square be re-surfaced and relined as there are a number of potholes around the square and the lining is almost gone.”

**Eugene O’Shea replied as follows:**

*The condition of this car park has deteriorated significantly in recent years and it is in need of re-surfacing. It will be considered for inclusion in the Shannon MD works programme subject to available resources.*

At this point, Cllr Ryan proposed and it was seconded by Cllr Cathal Crowe, that standing orders be suspended to enable the meeting to continue to conclude the business.

21. Notice of Motion submitted by Cllr Gerard Flynn

**Ar moladh Cllr Gerard Flynn**

**Cuidithe ag Cllr Cathal Crowe agus glacadh leis:**

“That Clare County Council put in place a register outlining all the graveyards in the Municipal District of Shannon and the type of public access allowed especially in the light of actions been taken by some property owners to deny the public unhindered access to some of these public facilities”.

**Betty Devanny replied as follows:**

*I wish to state that there are eleven burial grounds in the Municipal District of Shannon and are as follows: Bunratty; Ballycannon, Meelick; Clonloghan, Newmarket-on-Fergus; Drumline, Newmarket-on-Fergus; Feenagh, Sixmilebridge; Kilquane, Parteen; Kilconry, Newmarket-on-Fergus; Knockalisheen, Meelick; Lemenagh, Newmarket-on-Fergus; Moneen and Illaunamanagh, Shannon. These burial grounds are included in the attached list of known burial grounds in the county and forms part of the Burial Ground Bye-Laws 2015 – County Clare which were adopted by Clare County Council in November, 2015. The burial grounds in relation to the Municipal District of Shannon are highlighted in red in the attached list of known burial grounds.*

*Regarding the type of public access, all of the aforementioned burial grounds accommodate both pedestrian and vehicular access. The Council is aware that in the instance of Kilquane burial ground, vehicular access is facilitated by arrangements put in place by the landowner.*

*The members will be aware from the recent workshop on the draft County Development Plan that it was agreed that a meeting will be organised with the executive, the County Solicitor and the elected members to discuss the matter further with a view to identifying potential solutions to access issues at burial grounds.*

A long discussion ensued on the issue of public access to Kilquane burial ground and it was suggested that the access principle in general concerning burial grounds may need to be dealt with nationally through legislation. Councillors requested the meetings administrator to seek the list to be reviewed, as a number of burial grounds in the district were omitted from the list circulated .

22. Notice of Motion submitted by Cllr Gerard Flynn

**Ar moladh Cllr Gerard Flynn**

**Cuidithe ag Cllr Mike McKee agus glacadh leis:**

“That Clare County Council put in place a clear method of identification concerning public lighting poles. The current markings in place make identification of problems very difficult.”

**Eugene O’Shea replied as follows:**

*Airtricity is the current maintenance contractor for the public lighting network and they are currently undertaking a survey of the network throughout the county. On completion of this survey work on re-numbering and labelling of poles will be undertaken and I understand that this will take place in the final quarter of 2016.*

23. Notice of Motion submitted by Cllr Gerard Flynn

**Ar moladh Cllr Gerard Flynn**

**Cuidithe ag Cllr Mike McKee agus glacadh leis:**



“That an update be provided concerning the requirement for additional parking in O’Brien Park, Shannon.”

**Eugene O’Shea replied as follows:**

*A proposal for the provision of 6 No. additional car parking spaces, similar to that in place in the adjoining Purcell Park, has been prepared with an estimated cost of €7,500. As there is no allocation in the current Shannon MD works programme to undertake the works required to create the additional spaces a source of funding will first have to be identified if the works are to proceed.*

**24. Correspondence (attached)**

- Letter from Halcrow Barry dated 18<sup>th</sup> May 2016, regarding announcement of preferred site for the M18 Motorway Service Area

Disappointment about the chosen location was expressed by some members as was concern about impacts on existing businesses. They felt that the site should be north of Crusheen. Cllr McKee indicated that pros and cons could be identified, the pros being employment opportunities and a new rated premises in the district.

**25. AOB**

Cllr John Crowe, cathaoirleach proposed suspending standing orders in order to hear an additional notice of motion from Cllr Cathal Crowe which had not been listed on the agenda. The motion, which had been signed by every member present, was read out by the meetings administrator:

“ Motion 24 of the 10<sup>th</sup> May meeting of Clare County Council’s Shannon Municipal District proposed that the ‘Bog Road’ in Meelick be taken in charge and made a public road. It was suggested by the senior executive engineer, Eugene O’Shea, that the road in question would have to be brought up to a satisfactory condition before taking in charge could be considered. On the basis that substantial remedial works have now taken place, we the undersigned request the original motion now be adopted.”

The officials were to consider the motion and report back at next meeting.

The members commended Carmel Ryan for her outstanding work in Shannon Municipal District and wished her well in her new post in Ennis.

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Cathaoirleach

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Meetings Administrator