

**Minutes of the Municipal District of Shannon Meeting  
Held on Tuesday 21<sup>st</sup> July 2015 at 9:45 am, at the offices of the  
Municipal District, Town Hall, Shannon, Co. Clare**

Present: Councillors PJ Ryan, Cathal Crowe, John Crowe, Gerry Flynn, Pat McMahon, Mike McKee  
Noeleen Fitzgerald, Acting Area Coordinator; Eugene O'Shea, Senior Executive Engineer, Shannon Municipal District; Fiona Mooney, Meetings Administrator.

**1. Minutes of meeting of Shannon Municipal District held on 26 May 2015**

The minutes were proposed by Cllr Flynn and seconded by Cllr Cathal Crowe and agreed.

**2. Minutes of meeting of the AGM of Shannon Municipal District held on 15<sup>th</sup> June 2015**

The minutes were proposed by Cllr Flynn and seconded by Cllr John Crowe and agreed.

**3. Meeting with Irish Water**

The email from Irish Water was discussed. The view was expressed that it continued to be unacceptable that Irish Water senior executives would not attend a public meeting. It was proposed by Cllr Flynn and seconded by Cllr Cathal Crowe that the item 'meeting with Irish Water' continue on the agenda.

**4. Roads Programme**

A national allocation of €24m for local and regional roads recently announced was referred to. It was reported that €1million had been allocated to Clare and the distribution between municipal districts was not decided. Some road works which had been excluded from the 2015 programme may again be includable. While the €1m was welcomed, the insufficient ongoing maintenance investment was referred to by members with concern.

**5. Set date for September meeting.**

Tuesday September 8<sup>th</sup> was agreed for the next meeting. The CLDC request for a consultation regarding Leader would be facilitated at 9am. The request from the 1916 commemoration committee in Shannon to make a presentation in the meeting would be facilitated also.

**6. Section 183 Notice – proposed disposal 10 Lee Park, Shannon**

The disposal was proposed by Cllr Flynn, seconded by Cllr McKee and agreed.

**7. Proposed order declaring a road to be a public road (Fairfield, Parteen) – Section 11 of the Roads Act, 1993, as amended**

That the order be made was proposed by Cllr Cathal Crowe, seconded by Cllr PJ Ryan and agreed.

8. Draft Roads Taking in Charge Policy for private roads

The policy was welcomed. References to rights of way in the policy were mentioned and the fact that rights of way may cover pedestrians and vehicles, depending on the particular right of way.

9. Notice of Motion submitted by Councillor Gerry Flynn

**Ar moladh Cllr Flynn**

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

“That Clare County Council remove all the shrubbery off the main roundabout at Shannon Town Centre. This roundabout is an eyesore due to the amount of weeds and unsuitable planting being done at this location over the years, and that a more suitable plan be put in place to enhance this central location in Shannon.”

**Eugene O’Shea replied as follows:**

*The appearance of this roundabout is unsatisfactory at present mainly due to the heavy weed growth that has been exacerbated by recent wet weather conditions. Arrangements will be made with the council’s gardening section to tackle this weed issue at the earliest opportunity. Consultation will also be made with the council’s architects with a view to developing a revised plan for the roundabout given its high profile location in the town.*

10. Notice of Motion submitted by Councillor Gerry Flynn

**Ar moladh Cllr Flynn**

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

“That Clare County Council cut back some of the trees in the location of Tullyvarraga next to the Fána Gheal housing estate. The residents residing in this Respond development for older people and those with disability are experiencing reception problems affecting TV, telephone and broadband, for some these are their only contact with the outside world.”

**Eugene O’Shea replied as follows:**

*A number of factors are known to cause signal interference to the services described including dish location and condition, cable type, condition and length, weather conditions, seasonal variations, etc. Given the extent of tree coverage on Tullyvarraga Hill any proposed tree cutting could be substantial and impact significantly on the local landscape. At a time of scarce resources the council’s spending on trees is focussed primarily on dealing with issues of public health and safety and on re-planting of suitable species at specific locations.*

Cllr Flynn expressed disappointment with the reply and asked for reconsideration. The SEE said that all possible alternative interference factors would need to be ruled out before tree cutting would be considered.

11. Notice of Motion submitted by Councillor Gerry Flynn

**Ar moladh Cllr Flynn**

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

“Could Clare County Council improve the lighting system in the area of Purcell Park, O’Brien Park, Delacey Park, Collins Park and Gort Road in Shannon.”

**Eugene O’Shea replied as follows:**

*The council’s public lighting maintenance contractor will be requested to assess the existing lighting system in the locations specified in order to determine its current condition. In the event that upgrade works are required a source of funding will have to be identified for works to proceed.*

12. Notice of Motion submitted by Councillor PJ Ryan

**Ar moladh Cllr Ryan**

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

“That this Municipal Authority would put traffic calming measures in place on the R462 Kilkishen to Sixmilebridge Road near the junction with Broadford Road.”

**Eugene O’Shea replied as follows:**

*A traffic survey is required to ascertain the extent of the traffic issues at this location and this survey will be undertaken as soon as possible. The outcome will inform the type of measures, if any, that are required, for which a source of funding will have to be identified for their implementation.*

13. Notice of Motion submitted by Councillor PJ Ryan

It was agreed to take item 13 and item 25 together.

**13. Ar moladh Cllr Ryan**

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

“That this Municipal Authority would extend the footpath in Meelick between Brennans Cross and Glen Abhainn Housing Est / Ballycannon Cemetery.”

25. Notice of Motion submitted by Councillor Cathal Crowe

**25. Ar moladh Cllr Crowe**

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

“That the Shannon Municipal District make the provision of a footpath linking the various housing estates in Meelick one of their main priorities and that suitable funding be provided for same.”

**Eugene O’Shea replied as follows:**

*This response relates to Notices of Motion submitted by Councillor PJ Ryan and Councillor Cathal Crowe on the basis that both relate broadly to the same issue.*

*There is undoubted merit in a proposal that would lead to the provision of footpath facilities from Brennans Cross and linking the various housing developments along the L3068 in Meelick. However the funding needed would be substantial given the distance involved, necessary land acquisition, requirement to provide for public lighting, drainage etc. The emphasis of the Shannon Municipal District in respect of footpath works is to deal with the huge backlog of repair works to the existing infrastructure throughout the district within the limited resources currently available.*

In discussion, the high population of the Meelick area was referred to and the dangers of unconnected footpaths and at other locations the lack of a footpath and street lighting was highlighted by Cllrs Ryan and Crowe. Whether the costs of the required footpath infrastructure could be trimmed was raised by members, but the SEE confirmed that drainage would have to be accounted for depending on the fall in the road levels and lighting and a pedestrian crossing would also be an integral part of such a project. Members expressed dissatisfaction with the reply.

14. Notice of Motion submitted by Councillor PJ Ryan

**Ar moladh Cllr Ryan**

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

“That this Municipal Authority would carry out drainage to alleviate flooding on the road known locally as the Line Road at Ballintlea Cratloe.”

**Eugene O’Shea replied as follows:**

*Drainage works at this location will be considered for inclusion in the Roadworks Programme subject to available resources.*

15. Notice of Motion submitted by Councillor Pat McMahan

**Ar moladh Cllr McMahan**

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

“I wish to ask Clare County Council for an update on the take over of Glen Cora Estate in Newmarket on Fergus as the residents would like the take over to be finalised.”

**Bernadette Haugh, Administrative Officer, replied as follows:**

*The Planning Authority has been liaising with Agents on behalf of the Bondholders/Receivers. We note they have sought and received tenders for completion of the outstanding works. We are currently awaiting an update from the Agents in relation to the appointment of a Contractor.*

16. Notice of Motion submitted by Councillor Pat McMahan

**Ar moladh Cllr McMahan**

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

“I wish to ask Clare County Council for an up to date report on the take over of Boheroen Estate in Newmarket on Fergus.”

**Bernadette Haugh, Administrative Officer, replied as follows:**

*The Planning Authority made a full claim on the bond in August 2011, on notification that the Developers were in Receivership. The Planning Authority prepared a schedule of the works required to complete the development to the required standard for Taking in Charge.*

*In March 2014, Agents on behalf of the Receivers engaged with the Planning Authority and indicated their intention to complete these works. In October 2014 the Planning Authority wrote to the bondholders with reference to our previous claim on the bond, enclosing the schedule of works identified, in order to substantiate our claim on the bond. Agents have recently indicated that approval of the required funding has been granted.*

*Further correspondence issued to the Bondholders AIB in May 2015, in relation to our previous claim seeking a status update of same. We await the outcome of this correspondence and/or further engagement from Agents on behalf of the Receivers.*

In discussion, the long duration of the process was questioned, and the acting area co-ordinator confirmed that the process was long and that receivers can have multiple estates as well as multiple banks to deal with and that in spite of full cooperation from all parties, the process can still be lengthy.

17. Notice of Motion submitted by Councillor Pat McMahon

**Ar moladh Cllr McMahon**

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

“To ask Clare County Council to provide double yellow lines along the main Ennis Road close to the junction of Lough Ash Cross as parking of cars here could lead to an accident. “

**Eugene O’Shea replied as follows:**

*This busy junction in Newmarket on Fergus will be inspected in order to ascertain whether there is benefit in extending the existing double yellow lines beyond their current length and for any potential negative implications arising for on-street parking.*

18. Notice of Motion submitted by Councillor Mike McKee

**Ar moladh Cllr McKee**

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

“That SMDC call for the installation of speed ramps at the Gort Rd side and Comprehensive side of the roundabout by Purcell Park.”

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

*Traffic surveys are required in order to determine if traffic calming measures, such as ramps, are needed at the locations specified and arrangements will be made at the earliest opportunity to undertake these surveys. It should be noted however that a previous attempt to install additional speed cushions on the Gort Road did not proceed due to local opposition.*

In discussion, Cllr McKee confirmed that only one ramp was being sought at each of the locations. Cllr Flynn opposed the motion and referred to ramps having been previously removed. Poor driver behaviour was discussed. The SEE confirmed in the discussion that there wasn't a significant cost differential between bolt down type ramps and permanent ones.

At this point in the meeting, Cllr PJ Ryan proposed, and Cllr Cathal Crowe seconded a motion of suspend standing orders to complete the business of the meeting and this was agreed.

19. Notice of Motion submitted by Councillor Mike McKee

**Ar moladh Cllr McKee**

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

"That SMDC condemn the recent government decision to cut lone parents allowance while allowing increases to former Ministers pensions and pay rises."

In discussion, it was proposed by Cllr McKee and agreed that a letter should be sent to the Minister for Social Protection. There was discussion about some fathers not accepting responsibility for their children and the need for parents to be the first providers for their children whether or not the parental relationship was intact.

20. Notice of Motion submitted by Councillor Mike McKee

**Ar moladh Cllr McKee**

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

"That a report be given to the SMDC outlining which double yellow line markings in Shannon and the Industrial Estate have actual legal standing and that a copy of same be sent to An Garda Siochana."

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

*Double yellow lines on public roads in Shannon Town would have been put in place as required over a number of decades. Procedures in place at the time would have been followed by the area engineer including the notification to An Garda Siochana. Consultation with the local Garda Siochana is required to ensure that there are no anomalies between council and Garda records and this will be arranged in due course. The council has no responsibility for the roads in the Industrial Estates as they are not public roads.*

In discussion, it was agreed to write to the Joint Policing Committee with a view to getting clarification of the issues concerning road markings, illegal parking and fining as between public roads in charge of the Council and other roads.

21. Notice of Motion submitted by Councillor John Crowe

**Ar moladh Cllr Crowe**

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

“That Clare County Council install "Children at Play" signs and traffic calming measures in the Inis Ogra estate, Sixmilebridge.”

**Eugene O’Shea replied as follows:**

*Government policy in relation to the control of speeds in housing estates regards the increased use of 30 km / h speed limits as a means of improving safety for the most vulnerable road users. The Inis Orga estate is included in the Shannon Municipal District list of estates that will benefit from this new policy for implementation shortly.*

In discussion, the SEE confirmed the roll out would begin in the next month or so.

22. Notice of Motion submitted by Councillor John Crowe

**Ar moladh Cllr Crowe**

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

“Due to the large number of businesses located in the Sixmilebridge Square area there is serious problem with parking. Due to this problem I am requesting a 2 hour parking limit be implemented to alleviate the problem. This will help patrons have greater access to the various businesses.”

**Eugene O’Shea replied as follows:**

*Given the limited number of parking spaces in the Square there is merit in this proposal in order to ensure a regular turnover of car park spaces and avoid long-stay users. A resolution of the council is required to make this change as per Section 35 of the Road Traffic Act 1994 and the Road Traffic (Traffic and Parking) Regulations 1997. Without resources to enforce such a measure however its effectiveness as a traffic management measure may be compromised.*

In discussion, it was confirmed that 2 hour limit signs was all that was being requested – not pay and display parking. It was agreed that a two hour parking limit had helped at other locations and that this should be tried . Some motorists were parking in the Square for 8 to 10 hours, having gotten a lift to work for the day. It was further suggested that any land that comes up for sale in Sixmilebridge centre should be bought by the Council with a view to increasing parking capacity.

23. Notice of Motion submitted by Councillor John Crowe

**Ar moladh Cllr Crowe**

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

“That Clare Co Council provide an update on unfinished housing estates in the Shannon Municipal area to include a list of the estates, what stage of development these estates are currently at, what number of these estates can be taken over by the Council and what number of these estates are being audited by the County Council for take over.”

**Bernadette Haugh, Administrative Officer, replied as follows:**

*Progress is being made on the taking in charge of estates throughout the County. Twelve developments were advertised for Taking in Charge in April 2015 and a further list of developments will shortly be subject to the public consultation process. There are currently 37 estates on our Register of Estates in the Shannon Municipal District as follows.*

**Castlebank, Ardnacrusha:** Taking in Charge application received. A schedule of outstanding works provided to the developer to be completed prior to consideration for Taking in Charge  
**Manor Grove, Ardnacrusha:** Planning files to be reviewed & site inspection to be carried out  
**Springhill, Blackwater:** Schedule of works prepared & submitted to Special Liquidators on behalf of IBRC to substantiate claim on the bond

**The Meadows/An Moinear, Meelick:** Developer in Receivership. Bond claimed and negotiations ongoing with Agents on behalf of bondholders on the outstanding schedule of works to be completed prior to consideration for Taking in Charge

**Rosan Bunráite, Bunratty:** Bond claimed & schedule of works submitted to bondholder to substantiate claim on the bond

**Deerpark, Bunratty:** Planning files to be reviewed & site inspection to be carried out

**Dun Ri, Bunratty:** Developer active on site

**Carraig Midhe, Corbally:** Developer in Receivership. Bond claimed & negotiations ongoing with bondholder on outstanding works for completion prior to consideration for Taking in Charge

**Aisling Court, Cratloe:** Planning liaising with Shannon M.D. Office regarding outstanding works

**Woodbrook, Cratloe:** Planning liaising with Shannon M.D. Office regarding outstanding works

**Cratloe Wood/Brickhill West:** Planning files to be reviewed & site inspection to be carried out

**Ballymorris, Cratloe:** Developer in Receivership. Bond claimed and negotiations ongoing with bondholders regarding the outstanding schedule of works to be completed prior to consideration for Taking in Charge

**Lough Gash, Newmarket on Fergus:** Bond claimed and negotiations ongoing with bondholders on the outstanding schedule of works to be completed prior to consideration for Taking in Charge

**Deerpark Estate, Ministers Cross:** Company dissolved. Planning liaising with Shannon MD Office on outstanding works

**Boheraroan, Newmarket on Fergus:** Developer in Receivership. Bond claimed and negotiations ongoing with bondholders on outstanding works to be completed prior to consideration for Taking in Charge. Recent correspondence to bondholders seeking update on our previous claim



**Glenn Cora, Newmarket on Fergus:** Developer in Receivership. Bond claimed. Agents on behalf of the bondholders have sought & received tenders for outstanding works. Further update awaited from Agents in relation to appointment of Contractor

**Fairyfield, Parteen:** Report to July M.D. Meeting for Taking in Charge remainder of development

**Gortatogher, Parteen:** Site inspection to be scheduled

**Dun Aras, Shannon:** Developer in Receivership. Bond claimed and a Site Resolution plan is awaited from Agents appointed on behalf of the bondholders

**Cluain Alainn, Shannon:** Developer in Receivership. Bond claimed and a Site Resolution plan is awaited from Agents appointed on behalf of the bondholders

**Ballycasey Ave, Shannon:** Developer in Receivership. Bond claimed and a Site Resolution plan is awaited from Agents appointed on behalf of the bondholders

**Ard Caoin Court, Shannon:** Release of Bond application received from the developer. Developer advised by Shannon MD to liaise with a third party on the resolution of issues identified

**Ros Silin, Shannon:** Planning liaising with Shannon M.D. Office regarding outstanding works

**Cluainin, Shannon:** Developer Active. Warning letter issued to developer on outstanding issues

**Dun na Ri, Shannon:** Bond claimed and negotiations ongoing with bondholders on outstanding works to be completed prior to consideration for Taking in Charge.

**Radharc na Coille, Shannon:** Bond claimed and negotiations ongoing with bondholders on outstanding works to be completed prior to consideration for Taking in Charge.

**Ros na Greine, Shannon:** Bond claimed and received. Shannon M.D. to report on priority works required subject to available bond, prior to consideration for Taking in Charge.

**Chuir an Droichead, Sixmilebridge:** Development completed under Public Safety Initiative scheme. Maps currently being prepared for commencement of Statutory Process for Taking in Charge

**O'Garney Heights, Sixmilebridge:** Site inspection completed & bond monies claimed and received to address outstanding works prior to consideration for Taking in Charge.

**Cluain Droichead, Sixmilebridge:** Developers in Receivership. Site Resolution Plan submitted by bondholders currently being reviewed by Planning.

**Ard na Greine, Sixmilebridge:** Taking in Charge application from developer in progress

**Chapel Court, Sixmilebridge:** Recent site inspection indicates outstanding works to be addressed. Further review required to identify priority works in the absence of available bond.

**Lios Anama, Sixmilebridge:** Developer Active. Two-thirds of development already in Council charge. File subject to review at present regarding Enforcement action to address outstanding issues.

**Woodview Heights, Sixmilebridge:** Developer in Receivership. An assessment of the Planning Files and follow-up site inspection required to identify priority works in the absence of available bond.

**Ard Ratha, Sixmilebridge:** Developer active. Recent correspondence to Developer regarding outstanding issues requesting a proposal to address same.

**Gort na nUll, Sixmilebridge:** Bond claimed and negotiations ongoing with bondholders on outstanding works to be completed prior to consideration for Taking in Charge.

**Bruachlan/Grianan, Westbury:** Works being progressed by the Receiver under Special Resolution Funding. Development will be subject to Taking in Charge on completion of the agreed schedule of works to the satisfaction of Clare Co. Council.

*These developments are all at varying levels of completion and progress on a significant number of these is subject to the outcome of ongoing claims and negotiations on bonds leaving it difficult to provide a definitive timeframe for their completion for Taking in Charge. However, all such developments in the County are receiving attention and Clare Co. Council anticipate the commencement of the statutory process/ release of bond on a number of these before year end with outstanding works being progressed through bondholders etc. on many others.*

In discussion, members welcomed the comprehensive report and suggested a twice or quarterly similar report be presented. In terms of the Council taking in charge, the acting area co-ordinator noted that the future maintenance investment had to be taken into account, as well as the current cost of achieving the taking in charge.

#### 24. Notice of Motion submitted by Councillor Cathal Crowe

**Ar moladh Cllr Cathal Crowe**

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

“That the Shannon Municipal District commit to the cutting of grass in all public open spaces in all housing estates within their functional area.”

**Eugene O’Shea replied as follows:**

*The resources required to undertake such a task would be very substantial and if implemented would have a severely negative impact on funding in other areas of public infrastructure that are already at a critically low level. There are however grants available through the council’s Environment Section to assist residents associations with works in public open spaces.*

In discussion, it was stressed that the variable treatment by the Council of estates was a discriminatory situation where some residents were having to pay voluntarily for grass maintenance while others had their green areas cut for them by the Council. People had anticipated that compliance with paying the LPT would enable the delivery of local services like grass cutting. Cllr Crowe recommended the cost of grass maintenance should be determined for the municipal district as a whole and included in the budgetary process. The acting area co-ordinator identified that LPT revenue to use in the county had been reduced by 15% and that of the approximate €6.5m revenue in Clare, €3.5m was being applied to housing grants and the social housing investment programme, leaving only €3m. The LPT was therefore limited in the context of having to have a balanced annual budget.

26. Notice of Motion submitted by Councillor Cathal Crowe

“That the Shannon Municipal District consider various means of improving the entrance / exit of the Shannon Banks housing estate (Roundabout or traffic lights?)”

**Eugene O’Shea replied as follows:**

*The office of the Shannon Municipal District will consult with the Road Design Office with a view to investigating the traffic characteristics of this junction and considering what, if any, alterations are required and the likely cost of same.*

In discussion, the huge workload with reduced staff was referred to and the SEE confirmed that schemes had to be prioritised where funding was actually available to complete the project.

27. Correspondence

Concerning the letter from the Office of the Minister for Agriculture, Food and the Marine in response to a motion, Cllr Flynn was dissatisfied and would be taking up the matter by way of a further motion.

Concerning the letter from the Office of the Minister for Finance in response to a motion, Cllr Flynn’s expressed the view that people who do not use internet banking now have poor access to banks.

28. AOB

It was noted that the airshow in Shannon had been a huge success. The chairman had been invited to the viewing stand. The unveiling of the Paul O’Connell statue was referred to and the chairman and members confirmed they had not been invited and some people at the ceremony had wondered as to their absence. The matter of local civic and business events acknowledging the elected members of the district, in particular the chairman, was discussed and it was agreed that a return to previous protocol of inviting the local chairman would be welcome.

The 1916 commemoration next year was referred to and the view was expressed that local experts be invited to participate. Cllr Crowe was on the relevant SPC and undertook to raise this.

Signed: \_\_\_\_\_  
Cllr PJ Ryan, Cathaoirleach

Signed: \_\_\_\_\_  
Fiona Mooney, Meetings Administrator