

## **Minutes of the Shannon Municipal District meeting held on Tuesday, 19th January 2016, at 9:45 am at the Offices of the Municipal District, Town Hall, Shannon, Co. Clare.**

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

**Apologies:** Niall Barrett, Area Co-Ordinator,

**Present:** Mr Eugene O' Shea Senior Executive Engineer, Pádraig Malone, Staff Officer, Caroline O'Connor Management Accountant, Finance, Fiona Mooney, Meetings Administrator.

### **1. Minutes of Meeting held on Shannon Municipal District held on the 10<sup>th</sup> November 2015**

The minutes of the meeting held on 10<sup>th</sup> November 2015 were proposed by Cllr Flynn, seconded by Cllr McKee and agreed.

### **2. Meeting with Irish Water**

The elected members expressed disappointment with the reply dated 10<sup>th</sup> November 2015 from Irish Water and requested the item be kept on the agenda.

### **3. Presentation from Head of enterprise, Padraig McElwee**

Padraic McElwee from the Local Enterprise Office gave a presentation outlining the supports available through the Local Enterprise Office and achievements during 2015. Supports include mentoring and training, financial support and promoting an enterprise culture. Some of the achievements included 17 enterprises grant aided, 355 participants at training courses and that county Clare was the 4<sup>th</sup> highest county for job creation in 2014. The presentation and achievements outlined in it were welcomed by the elected members.

### **4. Roads Programme**

Eugene O'Shea stated the municipal district had completed the 2015 works programme and all present complimented the work done by the staff last year. Eugene stated they were awaiting the release of figures for the 2016 works programme allocation and he had already completed some preparation on this.

Following discussion on the Section 38 proposal for the junction at Browne's Pub, Parteen it was supported by all the members. Cllr Flynn referred to the deterioration in roads in the area due to the bad weather and queried how this was to be addressed. He also commented that

the recent clean up on footpaths was noticeable and he has had positive feedback from residents on the matter.

## **5. Disposal of 0.14ha at Tullyglass Crescent**

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

## **6. Nominee from Shannon Municipal District to the Rural Water Monitoring Committee**

The Rural Water Monitoring Committee had requested a nominee to join it from each municipal district. Cllr John Crowe was proposed as the nominee by Cllr Flynn and seconded by Cllr Cathal Crowe and agreed.

## **7. Referral by CPG of Council motion on Cumann Na mBan**

Cllr Cathal Crowe referred to the background to this agenda item and outlined his proposal. The pedestrian flyover at Setright's Pub was proposed by Cllr C Crowe, seconded by Cllr Ryan and agreed. The meetings administrator was asked to forward that proposal to the NRA for consideration.

## **8. Notice of Motion submitted by Cllr Gerry Flynn**

**It was agreed to take items 8 and 17 together at this point.**

### **Item 8**

Ar moladh Cllr G Flynn

Cuidithe ag Cllr M McKee agus glacadh leis:

I am calling on Clare County Council to assess the sewerage and storm drains in Dun an Óir, Shannon, and to come up with a plan of work to alleviate the flooding issues occurring at times of heavy rainfall.

### **Item 17**

Ar moladh Cllr M McKee

Cuidithe ag Cllr Flynn agus glacadh leis:

That Clare County Council investigate why Dun An Oir (Shannon) is the only estate in the town to experience flooding of a serious nature, and what can be done to alleviate this problem.

### ***Eugene O' Shea replied to both motions as follows:***

The flooding that occurred at Dun an Oir on 12th December last was due to runoff from lands caused by the exceptionally heavy rainfall that occurred on the day and to the fact that the lands nearby were already heavily saturated and the stormwater system was at capacity following weeks of prolonged rains. The Roads department in the Shannon Municipal District will arrange to inspect the storm water network at the earliest opportunity in order to determine what, if anything, can be done to alleviate the potential for flooding in the future and to allay concerns of the residents.

In relation to the sewerage network:

- *24 work orders about sewerage in Dun an Oir have been received between April 2014 and January 2016 from the Irish Water reporting system*
- *10 of the work orders related to house no. 1, at which recurring problems were resolved by providing the house with a new connection to the main sewer*
- *The remaining 14 work orders were from a number of different houses in the estate; 8 of the 14 were received in the very wet months Dec 2015 and Jan 2016*

Many foul sewers in Dun an Oir are located in rear gardens, and problems can arise if structures are built over them. In particular, the sewer line in the green area to which house nos. 20 & 22 discharge has a number of backfalls and needs to be re-laid to correct falls. We have received a work order from IW to undertake a CCTV survey at No. 13 to inform us what may be causing the blockage.

The Water Services Section, on behalf of Irish Water, will continue to investigate the combined sewers in Dun an Oir, and will work together with any investigations by the Roads Section of stormwater drainage in the area.

## **9. Notice of Motion submitted by Cllr Gerry Flynn**

Ar moladh Cllr G Flynn

Cuidithe ag Cllr McKee agus glacadh leis:

Due to the ongoing problems being experienced by residents in O'Brien Park, Shannon, concerning the lack of adequate car parking spaces, that Clare County Council remove some of the green area and provide additional spaces. Currently, service vehicles including emergency response vehicles have great difficulty gaining access.

### **Eugene O'Shea replied as follows;**

Given the deficit in availability of parking spaces for residents of O'Brien Park, the Shannon Municipal District office will arrange to draft and cost a proposal for a revised parking layout with additional parking spaces. A source of funding will have to be identified however if this proposal is to bear fruit.

## **10. Notice of Motion submitted by Cllrs Gerry Flynn & John Crowe**

Ar moladh Cllr G Flynn agus J Crowe

Cuidithe ag Cllr C Crowe agus glacadh leis:

That Clare County Council review the lease on the Westbury Council office to service the needs of the Clare residents in the immediate area and that provision be made in future budgets to continue this service.

### **Michael McNamara replied as follows;**

As the Council was recently advised the Lease on the Westbury Office expires in March 2016. Lease, rent and service charges on the office at present amount to c.€43,000 per annum. The Council has examined the levels of activity at Westbury in 2015 and this reveals that of 3,500

contacts to the office (which include both telephone callers as well as attendance at the office) in 2015, over 3,100 (or 88%) was in relation to motor tax transactions. There are other options for the delivery of this function e.g. on-line or through the post. It should be noted that motor tax income does not accrue to the Council – Council collects same on behalf of the Department.

The remaining 400 contacts to the office in 2015 were in relation to a variety of Council functions. This works out at an average of 8 contacts per week relating to actual Council functions.

A decision has to be made this week and communicated to the landlord in relation to the Council's future intentions for Westbury. The question of making provision in future budgets for this service can only be considered when budgets for future years are under consideration.

Cllr J Crowe stated it was important to have a presence of Clare County Council in the area for the residents. Cllrs Flynn and C Crowe commented that the Council has a duty to people in that area for services and that the Westbury office was vital in that regard.

Caroline O'Connor stated that the decision on the Westbury office was still being considered and also confirmed that no funding is received by the Council to operate the motor tax service.

It was agreed by all councillors to request a meeting with Tom Coughlan, chief executive, to discuss the matter further before any decision was made.

At this point of the meeting the cathaoirleach Cllr PJ Ryan proposed the suspension of the standing orders to allow for the completion of business, and this was seconded by Cllr Cathal Crowe and agreed.

#### **11. Notice of Motion submitted by Cllr Pat McMahon**

Ar moladh Cllr P McMahon

Cuidithe ag Cllr Flynn agus glacadh leis:

That the parking issues at the Wells School, Clonmoney, be reviewed in light of the dangers arising at present there

#### ***Eugene O'Shea replied as follows ;***

The Shannon Municipal District office will arrange to monitor parking issues at this location at peak traffic times during the next number of weeks and consider whether any alterations are warranted. Ultimately however parking issues at the school are a matter for the school's Board of Management and for the parents availing of the parking facilities.

#### **12. Notice of Motion submitted by Cllr Pat McMahon**

Ar moladh Cllr P McMahon

Cuidithe ag Cllr McKee agus glacadh leis:

Following ongoing representations and promises, I call on the Council to request Irish Water to expedite the completion of the works on Main Street, Newmarket on Fergus.

***Sean Ward replied as follows ;***

IW has approved funding for this. Discussions have recently taken place between IW and CCC's capital office on design of the job. It will have to be coordinated with the Roads Section regarding surfacing of the road, and the capital office will be working with Eugene O'Shea in this.

Cllr McMahon expressed frustration at the meeting and that this issue has been going on for years and that it has been a bundle of mistakes by the government departments over the years. He was hopeful that soon is very soon.

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

Ar moladh Cllr P McMahon

Cuidithe ag Cllr Flynn agus glacadh leis:

I am asking the Council to put pressure on the liquidator/receiver to urgently carry out the remaining works at Lough Ash Estate, Newmarket on Fergus.

***Bernadette Haugh replied as follows ;***

A claim was made on the Bond in relation to Lough Gash 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 negotiations are ongoing with them to reach agreement on the outstanding schedule of works to be completed prior to consideration for Taking in Charge.

Receivers were appointed over specific assets of the developer Patrick Carmody Construction Ltd, none of which are in Clare. The Planning Authority will continue to liaise with Agents appointed by the bondholders to progress this development to taking in charge in the interests of the residents.

**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 look at installing pedestrian controlled traffic lights at the pedestrian crossing near the post office on Main Street in Sixmilebridge (R471)

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

The Shannon Municipal District office will liaise with the Road Design office in relation to this controlled crossing. It will be necessary to examine accident records, monitor pedestrian and vehicle movements, driver behaviour, parking practices etc and to undertake traffic surveys in order to determine whether changes to the current arrangements are necessary.

Cllr Ryan expressed dissatisfaction 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 carry out repairs to the road surface on the Gullett Road between Gurna River Bridge and the Gullett Cross (L7032).

*Eugene O'Shea replied as follows ;*

This section of the L7032 road, which is approx 1km in length, will be considered for inclusion in the 2016 roadworks programme subject to availability of resources and to prioritisation of works.

**16. Notice of Motion submitted by Cllr PJ Ryan**

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr McMahon agus glacadh leis:

That this Municipal Authority would request Iarnród Eireann to repair the railway fence in Cratloe at the junction on the R462 adjacent to the GAA Field on the Cratloe to Sixmilebridge Road.

The meetings administrator was asked to forward the motion for consideration by Iarnród Eireann.

**17. Notice of Motion submitted by Cllr Mike McKee – taken with item 8**

**18. Notice of Motion submitted by Cllr Mike McKee**

Ar moladh Cllr M McKee

Cuidithe ag Cllr C Crowe agus glacadh leis:

That SMDC call on the Gardaí to apply extra resources to prevent anti-social behaviour in some estates such as Shannon Banks and others, as reported to Cllrs recently.”

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Flynn agus glacadh leis:

Due to the ongoing flooding problems in the Sixmilebridge to Cratloe road and the Rossmanagher road. I am asking that a survey on both roads be carried out to determine what the problems are and what solutions are needed to rectify the problem.”

*Eugene O'Shea replied as follows ;*

Both of these roads, the R462 Cratloe to Sixmilebridge road and the L7112 Rossmanagher road, flooded and became impassable during the storms and flooding in December 2015. Surveys will be undertaken as soon as possible to determine the causes and to consider possible solutions to this flooding.

## **20. Notice of Motion submitted by Cllr John Crowe**

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Ryan agus glacadh leis:

With the recent severe flooding I am requesting that Clare Co. Co and OPW would urgently include the drainage of the O'Gearney river from Sixmilebridge to Bunratty this year. We have been fortunate this time but to make sure that we have a free flowing river that can take the horrendous weather we are getting, it needs major attention this year. I understood that this was to be done every 3 years and it is now well over this period.

### ***Eugene O' Shea replied as follows;***

Responsibility for the maintenance of this river channel rests with the OPW and, I understand, routine works are undertaken by OPW on a 5 to 6 year cycle. I also understand, however, that blockages caused by trees and other debris are removed promptly once notified to them.

Cllr Crowe complimented Eugene O' Shea and his team in preventing something before it happened with the works carried out in 2009 - 2010 period.

All agreed that this motion be also sent to the OPW.

## **21. Notice of Motion submitted by Cllr Cathal Crowe**

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr McKee agus glacadh leis:

That engineering staff in the Shannon Municipal District and personnel in Clare County Council's Planning Department

- i. investigate the cause of flooding at the rear of properties at Riverbrook Lawn, Shannon Bank.
- ii. conduct a CCTV survey of the storm drain network in the vicinity of Riverbrook Lawn.
- iii. purchase a water pump, for the use of local residents, to be permanently located at Shannon Banks Scout Hall.

### ***Eugene O'Shea replied as follows;***

Investigations, including CCTV surveys, will be undertaken as soon as possible, to determine the cause of this flooding and to examine the drainage network at Riverbrook Lawn. Options for pumping will also be considered.

Cllr Crowe in commenting, complimented the staff at Shannon Municipal District for their outstanding response during the recent flooding crisis, and this was agreed by all the elected members.

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

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr Ryan agus glacadh leis:

That the Shannon Municipal District undertake remedial works to deal with flooding problems in the townlands of Moneen, Woodcock Hill and Lower Meelick.

*Eugene O'Shea replied as follows;*

The causes of flooding at these locations will be investigated at the earliest opportunity and, subject to availability of resources, works will be undertaken to resolve the flooding issues.

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

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr Flynn agus glacadh leis:

That Clare County Council formally approach the Department of Defence with the view to acquiring land at Knockalisheen, Meelick for the purposes of road widening (Brennan's Cross to roundabout junction on Phase 1 of the Limerick Northern Distributor Road).

*Eugene O'Shea replied as follows;*

As noted previously there is no evidence to suggest that the Coonagh to Knockalisheen scheme when completed will impact negatively on the local road network in Meelick. It is likely that the greatest impact will be from construction traffic during the course of the project and this impact will depend on the source of materials to be used by the successful contractor.

However, arising from a previous Notice of Motion in relation to this matter, the Shannon Municipal District entered into correspondence with the Department of Defence last year and a meeting took place with a representative of the Department on site in June 2015. It was made clear at this meeting that if the council wished to purchase lands for road widening then the Department would have to be duly compensated. Given current economic circumstances a scheme for road widening at this location is not high on the priority list of the council at present.

Cllr Crowe expressed disappointment with the response. It was agreed to ask the meetings administrator to forward this motion for the information of Oireachats members in Clare.

**24. Correspondence**

All correspondence as listed on the agenda was dealt with at the meeting, along with the report on the Section 38 proposal for the junction at Browne's Pub, Parteen which the members had agreed to consider under item 5 of the agenda – Roads Programme.

**25. AOB**

Cllr Crowe suggested writing to ask Shannon Airport Authority to provide an update to the members with respect to the airport and this was agreed.