

**Minutes of the Shannon Municipal District meeting held on Friday 4th
March 2016 @2:00pm at Aras an Contae, New Rd, Ennis, Co. Clare**

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

Fiona Mooney, Meetings Administrator, Eugene O' Shea Senior Executive Engineer, Ger Dollard, Director of Services, Pádraig Malone, Staff Officer, Niall Barrett, Head of Finance, Tom Tiernan Senior Engineer.

1. Minutes of Meeting held of Shannon Municipal District held on the 19th January 2016

Cathaoirleach PJ Ryan opened the meeting by wishing Michael McNamara, Senior Executive Officer, all the very best in his retirement and this was echoed by all present.

The minutes of the meeting held on 19th January 2016 were proposed by Cllr Flynn, seconded by Cllr C Crowe and agreed. Arising from the minutes it was confirmed that Oireachtas members had been written to about the motion on the lands at Knockalisheen, Meelick but that the Shannon Airport Authority had not yet been written to by the meetings administrator.

2. Minutes of the special meeting of Shannon Municipal District of the 26th January 2016

The minutes of the special meeting held on 26th January 2016 were proposed by Cllr Flynn, seconded by Cllr C Crowe and agreed.

3. Minutes of the special meeting of Shannon Municipal District of 22nd February 2016

It was noted that there was a motion on the agenda for the March full Council meeting from Cllr McKee in relation to the disposal of land for the crematorium in Shannon, which was contrary to the decision taken at the special meeting of Shannon Municipal District meeting to put the item on the disposal of lands for the crematorium on the agenda for the *April* Council meeting. The view was expressed that the motion put down for the March Council meeting undermined the authority of the special meeting of the Shannon Municipal District and the role and authority of the district councillors.

Cllr Ryan requested clarification from the area coordinator about the motion being on the full Council March agenda vis a vis the decision at municipal district level to put it on for April. The area coordinator confirmed that motions on Council agendas are a matter for members themselves, that any resultant debate would determine what happened next with a given motion and that decisions on motions had a six month standing.

Inability on the part of some municipal district members to attend the March and April full Council meetings was referred to. The Cathaoirleach felt that the item should remain on the April full Council agenda irrespective of the outcome of full Council deliberations on Monday 7th March.

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Cllr C Crowe and Cllr J Crowe indicated that they would abstain from a vote related to the motion on the disposal of land for the crematorium at the March full Council meeting in deference to Cllrs Ryan and McMahan being unable to attend that meeting.

The suggestion was put to move the motion about the disposal to the May full Council meeting. Cllr McKee expressed the view that his motion on the agenda for the March full Council meeting had no relevance to this meeting of Shannon Municipal District and he would not withdraw it. The cathaoirleach said that deferring it until May was not the same as withdrawing it and asked Cllr McKee to consider the matter further in light of the discussion that had occurred.

Following the discussion, the minutes of the special meeting held on 22nd February 2016 were proposed by Cllr McMahan, seconded by Cllr Flynn and agreed.

4. Meeting with Irish Water

The meetings administrator confirmed there had been no response from Irish Water and all agreed the item should be left on the agenda for future meetings of Shannon Municipal District as a headed item.

5. Adoption of the Clare County Council Local Economic and Community Plan 2016 – 2021

Ger Dollard briefly outlined what was in the draft plan and report circulated for the meeting. Section 44 of the Local Government Reform Act 2014 provides for the making of a 6-year integrated Local Economic and Community Plan (LECP). The plan sets out the objectives and actions needed to promote and support the economic development, local and community development of the county and is consistent with the Regional Planning Guidelines 2010-2022, the core strategy of the County Development Plan, the County Development Plan itself, the Council's corporate plan and with current government economic and social inclusion policy.

He confirmed the adoption by resolution of the draft plan as presented was the next step. The final phase will be that the SPC, the LCDC and Clare County Council will consider and adopt the final draft. The adopted plan will be submitted to the Minister and published by the Council.

The adoption of the Clare County Council Local Economic and Community Plan 2016-2021 as presented was proposed by Cllr Flynn, seconded by Cllr McKee and agreed.

6. Establishing of Town Teams – Discussion Document

Ger Dollard pointed out that this item had been discussed by the members at the March 2015 meeting and it was referred back to the CEDRA working group for further discussion. He stated that the purpose of it appearing as an agenda item now was to get councillors' views and communicate these views to the CEDRA group. All the options were set out in the discussion document circulated. He added that Roscommon County Council had established town teams as had Letterkenny, but from a funding perspective it proved unsustainable and had been disbanded in Letterkenny.

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Members expressed concern about the possibility that Ennis might be where the town team is established to the detriment of other towns in Clare. The view was expressed that the present Shannon Municipal District is really the town team and that establishing town teams as proposed might set rural areas apart from urban areas and create a two tier system.

It was agreed that because this meeting was under pressure for time and that the topic merited further discussion, no decision would be made until those further discussions could take place.

7. Roads Programme

It was agreed to take item 7. with item 9. of the agenda as one and consider both together.

8. a) Declaration of Public Roads – Cuirt an Droichead, Sixmilebridge b) Proposed disposal of lands at Drumline, Newmarkrt on Fergus

Item 8 a) was proposed by Cllr G Flynn, seconded by Cllr J Crowe and agreed.

Item 8 b) was proposed by Cllr P McMahan, seconded by Cllr G Flynn and agreed.

9. Draft Schedule of Municipal District Works 2016

A presentation was made by Tom Tiernan with regard to the draft SMDW 2016. He stated that the report has the same structure as last year and outlined the overall picture as applicable to the county as a whole. He added that Section 8 is the main part of the schedule where the roads programme is concerned, which goes through all the grants in detail. He stated that appendix 3 related specifically to the Shannon Municipal District roads area. He commented that the discretionary funding is up €20K in Shannon compared to 2015.

He referred to page 7 and pointed out that the percentage of roads to be treated in 2016 in a formalised way is 4.69%. This percentage should ideally be 10% if roads were to be treated appropriately. He estimated that based on current funding, it would be 20 years before any roads treated in 2016 were treated again.

He remarked that funding allocations are down considerably in comparison to the ‘boom’ years and this was unlikely to change until at least 2018. He stressed the unsustainability of the funds provided versus what is actually needed to maintain all the roads to the standards required.

It was confirmed that a new velocity patcher had been ordered and the Council are awaiting delivery. He concluded by stating an extra €500,000 of the storm damage funding is being allocated to the Shannon roads area.

The members welcomed the good news on the new velocity patcher and thanked Tom for his presentation. The adoption of the proposed Draft Schedule of Municipal District Works 2016 was proposed by Cllr Flynn, seconded by Cllr C Crowe and agreed.

10. Shannon Town Park Update

Eugene O’Shea stated that the grant was awarded under the Designated Urban Centre Grant Scheme under the S&E regional Operational Programme 2014-2020 as part of a Limerick-

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Shannon Gateway grant application. The total investment under the scheme will be just over €900k with the ERDF grant of €454K. Works must be completed by 31st December 2018.

He added that a steering group has been set up for this project including representatives from planning & finance departments and the Shannon Municipal District office. A preliminary project brief and programme is currently being developed in line with the grant & EU procurement requirements.

Members thanked Eugene for his update. Cllr Flynn suggested the chair of Shannon Municipal District be invited to sit on the town park steering group.

11. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M McKee

Cuidithe ag Cllr Flynn agus glacadh leis:

That Clare County Council, when adequate funding becomes available, develop the Shannon Loop to include a riverbank walkway from the point at Cluain Airne to Illaunmanagh.'

Eugene O'Shea replied as follows;

The Shannon Local Area Plan along with the Shannon Town Green Infrastructure Plan includes for the development of cycle/footpath loops of varying distances around the town including the area referred to between Illaunagowan Point and Illaunamanagh. This is an area of great natural beauty and provision of funding for the development of the looped routes would enhance outdoor recreational and visual amenity opportunities and benefit general well-being.

12. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M McKee

Cuidithe ag Cllr Flynn agus glacadh leis:

That SMDC find a permanent solution to the flooding at the pathway which runs between the rear of numbers 37 to 42 and numbers 49 to 54 Cluain Airne.

Eugene O'Shea replied as follows;

There are a number of alleyways to the rear of the Cluain Airne houses most of which were constructed with some provision for surface water drainage. Unfortunately no such provision appears to have been made in respect of this particular alleyway. Options for alleviation of this flooding issue will be considered in due course while any solutions arrived at will be subject to availability of resources.

13. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M McKee

Cuidithe ag Cllr Flynn agus glacadh leis:

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That SMDC call on the incoming government to follow the lead of the French government in banning major supermarkets from throwing away or destroying unsold food, and instead donate it to charities or allow it be used for animal food.

Cllr McKee stated Tesco Ireland had started to donate unsold food to charities.

14. 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 carry out drainage on the Line Road Cratloe between the Gullet Cross and Poulawillie Bridge

Eugene O' Shea replied as follows;

The recent spell of inclement weather has caused untold damage to roads throughout the Shannon Municipal District, not least to this road, the L3036. Subject to available resources drainage works will be undertaken at the earliest opportunity to prevent further deterioration of the road pavement.

15. 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 carry out repairs and drainage to footpaths at Beechwood Grove housing estate Sixmilebridge

Eugene O'Shea replied as follows;

Consideration will be given to including these works in the current years works programme subject to work prioritisation and to budgetary constraints.

16. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr Flynn agus glacadh leis:

That this Municipal Authority would carry out a traffic management plan and possible road alignment at Bunratty where the Low Road meets the old N18.

Eugene O'Shea replied as follows ;

There are significant elements of traffic calming already intrinsically in place on the Low Road (L3040) at this location at the narrow bridge beside the Folk Park and within the existing roadside boundaries. From a traffic management perspective the existing road lining and signage will be reviewed and renewed as necessary. There may also be merit in considering lowering of the current 60km/hr speed limit in this area particularly given the high volumes of pedestrian traffic during the peak tourist season. It is not possible to alter the current road alignment at the junction of the L3040 and the L3132 (old N18) due to various physical

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constraints including the level difference between the two roads, sight line requirements and the proximity to the river bridge.

17. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr P McMahon

Cuidithe ag Cllr Flynn agus glacadh leis:

That Shannon Municipal District urgently address the serious flooding issues on both sides of the railway bridge at Mooghaun, Newmarket on Fergus.

Eugene O'Shea replied as follows;

Road improvement works were recently successfully undertaken by the Shannon Municipal District at the southern approach to the railway bridge at Mooghaun North to ensure that the local residents would continue to have access to their homes. An assessment will be undertaken in due course to consider the feasibility of raising the road at the northern side of the bridge.

Cllr McMahon was satisfied with the response and, on behalf of local residents who had contacted him, thanked Eugene and his team for the work carried out at Mooghaun a fortnight ago.

18. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr P McMahon

Cuidithe ag Cllr Flynn agus glacadh leis:

That Shannon Municipal District carryout drainage works in order to alleviate the flooding along the Stonehall Rd, Newmarket on Fergus particularly around the front of the school and outside residents properties that live on the road. Proper drainage needs to be constructed along this road.

Eugene O'Shea replied as follows;

Drainage maintenance works will be undertaken on this road, the L7172, at the earliest opportunity subject to work prioritisation and to available resources.

19. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr J Crowe agus glacadh leis:

That Shannon Municipal District repair and carry out drainage at the lowest point on the road at Leamaneigh More in the vicinity of Corrys and Guinneanes residents.

Eugene O'Shea replied as follows;

The Shannon Municipal District office has recently submitted proposals for flood alleviation works throughout the district including at this location. These drainage works will be considered for inclusion in the Municipal District works programme subject to allocation of resources and to landowner agreement.

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Ryan agus glacadh leis:

I am requesting the Care Co. Council would contact the OPW in connection with the Cromptoun River that needs to be completely drained and cleaned, this river is causing major flooding in the Meelick area. The section I am requesting to be done is from the Knocklisheen road to Meelick bridge.

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Ryan agus glacadh leis:

I am asking my fellow councillors in the Shannon Municipal district to try and get something done as regards the road in the Cratloe wood estate off the Gallows hill road. This road is really in a dreadful condition and for the people living there it is just impossible to try and get to their homes. This is a private estate and it has not been taken in charge by Clare County Council. I feel there has to be some way we can help the people of this estate to try and do something in this road.

Bernadette Haugh replied as follows;

Cratloe Wood estate was added to the Planning Authority's Register of Estates in 2014 and a full assessment of the relevant Planning files & associated conditions of planning permissions will be undertaken together with a site inspection in the coming months in conjunction with the Shannon Municipal District engineer.

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Ryan agus glacadh leis:

I am requesting that Clare Co Council would resurface and line the main square in Sixmilebridge as it is an absolute disgrace in the centre of the town. The potholes in the centre of the Square are a danger to the public.

Eugene O'Shea replied as follows;

Repairs to the macadam surface of this car-park will be undertaken at the earliest opportunity. A source of funding will however have to be identified in order to undertake the necessary resurfacing works requested.

Cllr Crowe stated it was an embarrassment and that the works needed to be carried out as a matter of urgency.

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

Ar moladh Cllr Gerry Flynn

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Cuidithe ag Cllr Ryan agus glacadh leis:

That a comprehensive program of maintenance be put in place to improve the Tullyvarraga Hill Public Woodland Project. To include trees, shrubbery and pathways.

Eugene O'Shea replied as follows;

Subject to available resources and prioritisation of works, these maintenance works will be undertaken in Tullyvarraga Hill Woodland during 2016.

24. Notice of Motion submitted by Cllr Gerry Flynn

Ar moladh Cllr Gerry Flynn

Cuidithe ag Cllr Ryan agus glacadh leis:

That Clare County Council employ the service of a garden design expert to come up with a plan to address the shambolic state of the Roundabout on Bothar Mor near the Town Centre in Shannon and find the necessary funding to get this eyesore sorted.

Eugene O'Shea replied as follows;

It is acknowledged that this is a very significant site for Shannon Town Centre. A number of attempts have been made in the past to enhance this roundabout but, without the benefit of a local gardening crew, ongoing maintenance issues have continued to arise. It was previously proposed that when resources permit the SEA would liaise with the SEE Shannon and that this project would need the input of the Planning and Roads Department together with the Elected Members. Pending this circumstance it is proposed to undertake maintenance works as soon as possible in order to remove any invasive weeds, dead plant material etc and to soil and seed the central area. These works will ease the maintenance issues referred to above.

25. Notice of Motion Submitted by Cllr Gerry Flynn

Ar moladh Cllr Gerry Flynn

Cuidithe ag Cllr Ryan agus glacadh leis:

That Clare County Council provide an update on the taking in charge process concerning Rosan Housing Estate Bunratty.

Bernadette Haugh replied as follows;

A S180 request was received from the majority of the homeowners on 22nd December 2014 and has been included in the list of estates currently being examined under Section 180 and will be considered in due course.

A claim was made on the bond in relation to Rosán Bunraite on the 17th December 2014 enclosing a Preliminary Schedule of the outstanding works in relation to this development. 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

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ensure the satisfactory completion of this development in the interest of the residents. However, it is clear that the planning permission granted by An Bord Pleanála for this development provided for the setting up of a management company for the future management of the estate including maintenance of private open spaces, roads and communal areas etc, and such will be a factor in the consideration of the S180 request from the majority of the home owners.

Cllr Flynn indicated that the estate was made up of 11 permanent residents and is not a tourism related development. He asked that the 6 members of Shannon Municipal District put a proposal to Clare County Council to review the conditions attached to the planning permission as it is not a tourism product as per the conditions attached.

26. Notice of Motion Submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr McKee agus glacadh leis:

That Clare County Council engage with other agencies to undertake a programme of works to raise the banks of the River Shannon in the vicinity of Westbury and Shannon Banks to safeguard against future flooding.

Eugene O'Shea replied as follows;

At no point during the recent flooding events were the housing developments at either Westbury or Shannon Banks under serious threat from the River Shannon. However given the very high water levels in the River Shannon close to both estates it is appropriate that the flood protection measures currently in place be reviewed in consultation with the relevant agencies at the earliest opportunity. This review will consider inter alia, the existing level of the banks, the recent river flood levels, whether there is a need to raise the banks, the feasibility and likely costs of this exercise.

27. Notice of Motion Submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr McKee agus glacadh leis:

To improve traffic flow and safeguard against road traffic accidents I propose that the Shannon Municipal District advance plans for roundabout junctions at Larkin's Cross and the entrance to the Shannon Banks housing estate and that a roundabout be built at the entrance to the Westbury housing estate to replace the existing traffic lights.

Eugene O'Shea replied as follows;

Roundabouts are not conducive to pedestrian or cyclist safety in urban environments such as those referred to and, in many locations nationwide, roundabouts in such environments are being replaced by alternative junction types, mainly signalised junctions. Older pedestrians in particular have great difficulty traversing roundabout junctions.

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In relation to the Westbury junction the existing traffic signals were installed in conjunction with the shopping centre development on the basis of pedestrian crossing facilities and traffic safety and a roundabout option was ruled out.

In relation to the Larkins Cross junction a ghost island arrangement was installed some years ago on the R463 as the appropriate traffic control for this location. Traffic surveys will be undertaken in due course in order to determine if traffic patterns have altered since the installation of the ghost islands.

In relation to the Shannon Banks junction traffic counts are needed in order to establish up to date traffic volumes and speeds which will determine if changes to the existing junction layout are required. There are no recent injury accidents on the council's MapRoad system at any of these three locations indicating that traffic safety at the junctions is not an issue.

28. Notice of Motion Submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr Flynn agus glacadh leis:

That the Shannon Municipal District undertake remedial works to deal with surface water and flooding problems at Fian Cross and further down the Woodcock Hill Road (Meelick).

Eugene O'Shea replied as follows;

This road, the L3106, is scheduled for surface dressing in the 2016 Schedule of Municipal District Works for the Shannon MD. It is anticipated that the issues referred to will largely be resolved by preparatory works in advance of the surface dressing that will include for drainage works along the road.

29. Correspondence

- Letter dated 18th January 2016 from office of the Minister for Justice and Equality, in response to Cllr Flynn's motion from November 2015 meeting;

30. AOB

Cllr C Crowe suggested writing to the four Clare T.D.s inviting them to attend a meeting of the Shannon Municipal District in order to highlight deficits in roads funding along and other needs of the area. As a point of information Niall Barrett stated that there are regular meetings at Oireachtas level on such matters.

Signed:

Cllr PJ Ryan
Cathaoirleach

Signed:

Fiona Mooney
Meeting Administrator

Date:

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