

**Minutes of the Shannon Municipal District Meeting held on Tuesday 10<sup>th</sup> May, 2016 at 9.45am at the offices of the Municipal District, Town Hall, Shannon, Co. Clare County Council**

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

Fiona Mooney Meetings Administrator, Eugene O'Shea Senior Executive Engineer, Niall Barrett, Head of Finance Orla Doolaghty A/Staff Officer

**Apologies:** Cllr John Crowe.

At the outset, the cathaoirleach proposed to take agenda item 3 first and this was seconded by Cllr Flynn and agreed.

### **3. Shannon Activity Park Committee – Update**

Siobhan Punch, chairperson of Shannon Activity Park Committee addressed the meeting and referred to the €20K allocation that had been set aside for the committee's project by Shannon Town Council, on 6<sup>th</sup> May 2014, prior to its dissolution. The funding as approved by the Council had to be drawn down within two years. Ms Punch requested an extension of time on the drawing down of the funding. She reported that the group had spent €2.1K and had now secured planning permission for the project.

Cllr Ryan proposed that an extension of a further two years be approved, and this was seconded by Cllr Flynn and agreed.

### **1. Minutes of meeting of Shannon Municipal District held on 4<sup>th</sup> March 2016**

The minutes of the meeting held on 4<sup>th</sup> March 2016 were proposed by Cllr McMahon, seconded by Cllr Ryan and agreed.

There was discussion on the minutes regarding the appearance on the March full Council meeting of an item relating to the disposal of land in Shannon for a crematorium. The cathaoirleach pointed out that the minutes of the special meeting showed there was agreement that the item go on the *April* full Council agenda. He expressed the view that the authority of the district had been undermined, because putting the item on for March was contrary to the decision of the district councillors had made. Cllr Flynn advised that as the item had been dealt with by the full Council in March, its appearance again on the April full Council meeting had been ruled out, and supported the cathaoirleach in the view that putting the item on for March was contrary to the district members' agreement. Cllr McKee responded that he was not in breach of standing orders to put down the motion in March.

The cathaoirleach concluded the discussion by saying that the item should have been deferred until all the Shannon municipal district members would have been available and in attendance to express their views at Council.

### **3. Meeting with Irish Water**

The meetings administrator confirmed that there had not been a reply from Irish Water to the members' request for attendance at a statutory meeting. Members expressed disappointment with this lack of response and agreed to continue the item on the agenda.

### **4. Tullyglass Hill Woodlands – Update**

Nic de Jong gave an update briefing on the proposals for Tullyglass Hill Woodlands. The need for the update briefing arose from the views of the members during the previous briefing. The earlier proposal of clear felling was more economic and could have been cost neutral, whereas the current proposal had higher levels of associated cost.

The revised proposal involved a 10 to 15 year programme, involving some felling in years 1, 5, and 10, based on felling every 3<sup>rd</sup> double row, and planting a mix of deciduous native species instead. There would be procurement challenges because typical felling companies were not interested. Two out of ten landscape contractors would quote a price for the year 1 work but not, at the outset, for work in years 5 and 10. The year 1 cost, including replanting, would be in the region of €40K -€45K.

Members welcomed the revised proposal, acknowledging the higher cost involved, but considered it more sensitive and appropriate. The revised proposal was formally proposed by Cllr G Flynn, seconded by Cllr McKee and agreed.

### **5. Draft Memorial Policy of Clare County Council**

The draft policy was generally welcomed. Discussion points were the height of roadside memorials – whether .5m was a more appropriate height limit, road safety, the policy's impact on historical tourism, possible impacts on high Celtic crosses, and the possibility of a standardised, generic plaque memorial for the county.

Cllr Flynn proposed the adoption of the draft policy and this was seconded by Cllr. Cathal Crowe and agreed.

### **6. Report on Community Grants Scheme 2015**

The meetings administrator had circulated a report on the scheme and recommended that an absolute deadline be set by members in relation to concluding the draw down of the 2015 scheme. Following discussion, it was agreed that 1<sup>st</sup> September would be the latest draw down date and projects not fully completed by that date would lose out on the allocation and the funding would be reallocated. The cathaoirleach said that any further

scheme would need to be informed by the experience of this one, and that criteria may need to be amended in some respects.

Clr McKee suggested that any additional monies be made available to the Shannon Activity Park Project but it was agreed that a further report would be on the September 2016 agenda for members to consider any reallocation issues that arose.

The meetings administrator was thanked for her work on the scheme.

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

**Ar moladh Cllr Mike McKee**

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

“That SMDC consult with St Senan’s Primary School with a view to having a school warden put in place”.

**Eugene O’Shea replied as follows**

*The Shannon MD office will consult with St Senan’s Primary School and with the Council’s road safety officer in relation to this matter at the earliest opportunity.*

#### **8. Notice of Motion submitted by Cllr PJ Ryan**

**Ar moladh Cllr PJ Ryan**

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

“That this Municipal Authority would take in charge the road known locally as O’Halloran’s Road at Castlequarter, Cratloe, this road is off road number L3036”.

**Eugene O’Shea replied as follows:**

*Clare County Council’s “Taking in Charge Policy for Private Roads”, agreed by the members in September 2015, details the criteria to be satisfied for roads to be considered for taking in charge by the council. One of these criteria is that account must be taken of the financial implications for the local authority of taking a road in charge. Significant works are required before this road can be considered to be constructed and completed to an acceptable standard and funding will have to be identified for this purpose. Identification of such funding will undoubtedly result in neglect of other roads that have previously been declared public. The Shannon MD office therefore does not recommend that this road is taken in charge.*

In discussion, Cllr Ryan expressed disappointment with the reply. The SEE confirmed that significant drainage works and therefore money in the order of €50-60K would be required. Under the Taking in Charge Policy effective since 2015 which was adopted by the members, criteria for taking in charge were specified and this road did not meet the criteria and was therefore not suitable in its present state. Following further discussion and specific reference to the adopted policy of the Council, it was proposed that the residents look into the Community Road Works Scheme.

By agreement, item 24 was taken next in the agenda.

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

**Ar moladh Cllr Cathal Crowe**

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

“That the 'Bog Road' in Meelick (from its junction with the Woodcock Hill Road to the railway gates) be taken in charge and made a public road”.

**Eugene O’Shea replied as follows:**

*Clare County Council’s “Taking in Charge Policy for Private Roads”, agreed by the members in September 2015, details the criteria to be satisfied for roads to be considered for taking in charge by the council. One of these criteria is that account must be taken of the financial implications for the local authority of taking a road in charge. Significant works are required before this road can be considered to be constructed and completed to an acceptable standard and funding will have to be identified for this purpose. Identification of such funding will undoubtedly result in neglect of other roads that have previously been declared public. The Shannon MD office therefore does not recommend that this road is taken in charge.*

Members were critical of the full Council meeting of 9<sup>th</sup> May 2016, where roads funding was distributed between municipal districts. It was felt that the Shannon district had unfairly lost out.

The SEE referred to the fact that maintaining 5% of public roads annually means that a road would have an upgrade once in 20 years. Increasing the length of the road network he considered counterproductive, as well as, in this case, contrary to the adopted policy on taking in charge. As per the previous item, the Community Roadworks Scheme might offer an opportunity in this case.

Members stated that there would be liaison with the municipal district of Ennis and there would be an input on this general topic at the next full Council meeting.

The cathaoirleach proposed suspending standing order to complete the meeting and this was seconded by Cllr McMahon and agreed.

#### **9. Notice of Motion submitted by Cllr PJ Ryan**

**Ar moladh Cllr PJ Ryan**

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

“That this Municipal Authority provide a service road to gain access to houses 46-50 Cill Cais, Shannon”.

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

*The dwellings in question, numbers 46 to 50, are fronted by a green area and have a 2 metre wide pedestrian access to the rear. They were originally constructed without the benefit of road frontage and, presumably, occupied on that basis. There is provision for car parking at this location albeit not directly in front of the houses themselves. With no funding provided for the construction of new roads in the Shannon MD and limited funding available for the upkeep of existing public roads a source of funding will have to be identified in order to construct this proposed service road.*

Cllr Ryan accepted no funding was available. It was suggested that the SEE would compile a list of roads that require funding and this be brought to the attention of the Clare Oireachtas members.

#### **10. Notice of Motion submitted by Cllr PJ Ryan**

**Ar moladh Cllr PJ Ryan**

**Cuidithe ag Cllr. Pat McMahon agus glacadh leis:**

“That this Municipal Authority would remove tree ruts and repair the road at O'Leary's cross on the Ballycar Road, Newmarket on Fergus road number R470”.

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

*There is a very prominent heave or hump in the road surface at the location referred to on the in-bound lane of the R470 Ballycar Road, Newmarket on Fergus in close proximity to a large mature evergreen tree. Given that this heave appears to have worsened in recent times and also given the close proximity of the tree, the likely cause of the heave relates to movement of the tree roots beneath the road surface. An inspection by an experienced arborist will be arranged at the earliest opportunity in order to confirm if this is the case. As the tree is on private property the co-operation of the property owner will be required to deal with any issues associated with it.*

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

**Ar moladh Cllr Pat McMahon**

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

“To ask Clare County Council as a matter of urgency to alleviate the flooding issue at Rathfolan Newmarket-on-Fergus ('Short Sweep') as the road has been closed on a semi-regular basis over the year.”

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

*A proposal was submitted in January by the Shannon MD for funding for flood relief works to facilitate carrying out repairs to infrastructure damaged through the course of recent floods and funding was allocated for this road at Rathfolan. A scheme is currently being progressed*

*through survey and design and subject to no archaeological, environmental or planning issues and to agreement with local landowners it is envisaged that works will commence later in the year.*

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

**Ar moladh Cllr Pat McMahon**

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

“To ask Clare County Council to progress a solution to the ongoing flooding issues at Leminagh Mor, Newmarket-on-Fergus”.

**Eugene O’Shea replied as follows:**

*A proposal was submitted in January by the Shannon MD for funding for flood relief works to facilitate carrying out repairs to infrastructure damaged through the course of recent floods and funding was allocated for this road at Leamaneigh More. Subject to agreement with local landowners it is envisaged that works will commence later in the year.*

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

**Ar moladh Cllr Pat McMahon**

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

“To ask Clare County Council to find, if at all possible, a solution to the unprecedented flooding of the residence in Clenagh, Newmarket-on-Fergus”.

**Eugene O’Shea replied as follows:**

*The flooding at this residence in Clenagh in December 2015 was due primarily to poorly-constructed surface water drainage pipes fronting the newly built dwellings. Extensive jetting and CCTV surveys have revealed a number of collapsed pipe sections that have since been excavated and repaired. Further works are required to upsize and re-construct approx 100 metres of drainage pipe and these works will be undertaken at the earliest opportunity.*

Both Cllrs McMahon and Ryan commended Eugene O’Shea and his staff for the work and assistance above and beyond the call of duty provided to the residents in Clenagh during the flooding.

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

**Ar moladh Cllr Mike McKee**

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

“That Eir (Eircom) be asked to remove the remaining phone kiosks that have been out of action for some time”.

Cllr. Flynn outlined that he previously contacted Eircom to remove the kiosks, to no avail. Members agreed that Eir should be written to about this matter.

## 15. Notice of Motion submitted by Cllr Mike McKee

**Ar moladh Cllr Mike McKee**

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

“Unfortunately, as the double yellow lines at Fergus Rd. appear not to have solved the traffic problem, that Shannon Municipal District look at alternative measures that will do so”.

**Eugene O’Shea replied as follows:**

*Traffic issues at this location will be given further consideration with a view to improving traffic safety at the junction with Corrib Drive. It should also be noted however that it is illegal to park a vehicle within 5 metres of a road junction.*

Cllr McKee outlined that widening the road to ensure two way traffic will solve the issue of illegal parking or cutting into the Green area to allow cars park will also alleviate the issue.

## 16. Notice of Motion submitted by Cllr Gerry Flynn

**Ar moladh Cllr Gerry Flynn**

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

“That Clare County Council be requested to carry out essential repairs to the footpath at the rear of Shannon camogie pitch. This path was damaged on a number of occasions by Irish Water digging up the area and was never properly restored to a safe and acceptable standard. This path forms part of the river walk connectivity”.

**Eugene O’Shea replied as follows:**

*Repairs to this pathway have recently been undertaken.*

## 17. Notice of Motion submitted by Cllr Gerry Flynn

**Ar moladh Cllr Gerry Flynn**

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

“That Shannon MDC be updated on proposals for improvement to the public lighting in Shannon and especially in the older areas that require urgent attention due to old and poor quality of lighting and that consideration be given to modern and energy efficiency systems”.

**Eugene O’Shea replied as follows:**

*Proposals for improvement to the public lighting infrastructure in Shannon, specifically in Finian Park, have been in place for some time. It was originally planned to include Finian Park along with Aidan Park in the 2012 public lighting contract however due to tender rates and budgetary constraints, it had to be removed. The design for this estate is complete but we are currently awaiting capital funding to be allocated from our own resources in order to*

*proceed with the works on the ground. With increasing emphasis on reducing our carbon footprint it is likely that any new public lighting scheme will be required to consider greater use of energy efficient lighting systems.*

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

**Ar moladh Cllr Gerry Flynn**

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

“That in view of the ongoing removal and replanting of trees in Shannon and the importance of the green infrastructure to the town from an environmental and scenic point of view, that Clare County Council organise a public consultation process to inform the Shannon community of current and future plans concerning the green infrastructure”.

**Eugene O’Shea replied as follows:**

*The importance of the green infrastructure to Shannon Town is evidenced and well documented in the award-winning Shannon Green Infrastructure Plan that was agreed by the members in 2013. The Project Brief currently being prepared for the Shannon Town Park envisages that the Design Consultant will engage in a public consultation process, utilising all relevant methods of communication including public talks, information boards at the park and local library/schools etc*

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

**Ar moladh Cllr John Crowe**

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

“I ask that Shannon Municipal District give an update on my previous motion regarding public lighting from the Station House to the Garda Station, Sixmilebridge”.

**Eugene O’Shea replied as follows:**

*The estimated cost for supply and installation of street lighting at this location is approximately €15,000. In order for this project to proceed to construction a source of funding will first have to be identified.*

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

**Ar moladh Cllr John Crowe**

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

“I request that Shannon Municipal District erect flashing speed signs on all entrance roads to Sixmilebridge”.

**Eugene O’Shea replied as follows:**



*A number of driver feedback signs, similar to those currently in place in Cratloe, were purchased late in 2015 and installation will commence shortly on the R471 (Shannon Road) and R462 (Kilmurry Road) approaches to Sixmilebridge. The use of this type of signage in other locations in the Shannon MD will be considered in the context of known traffic safety issues and available funding.*

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

**Ar moladh Cllr John Crowe**

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

“I ask that Shannon Municipal District resurface and line the road from the Catholic Church to the old courthouse in Sixmilebridge. The road is in a bad state and in need of attention”.

**Eugene O’Shea replied as follows:**

*Sections of this road are in poor condition and repairs will be considered for inclusion in the current years works programme subject to availability of resources and to prioritisation of works.*

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

**Ar moladh Cllr Cathal Crowe**

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

“That Clare County Council undertake remedial works to improve the drainage and boundary security between the Shannon Banks and Carraig Midhe housing estates.

**Eugene O’Shea replied as follows:**

*The Council is currently awaiting proposals from the receivers for the Carrig Midhe development for a site resolution plan. It is anticipated that this plan will include for works on drainage and boundary issues within the development.*

It was confirmed in discussion that it was anticipated that by the end of summer, contractors should be onsite.

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

**Ar moladh Cllr Cathal Crowe**

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

“That Clare County Council look at the possibility of purchasing or leasing (long-term) the undeveloped plot of land between the Westbury Shopping Centre and Carraig Midhe. Such a site would be ideal for a new community park / playground to serve the large, populated communities of South-East Clare”.

**Carmel Greene replied s follows;**

*In the event of funding being approved for the project under the Hinterland study or otherwise, the Council will consider the options for the location of a playground / community park in this general area. Should the area mentioned prove to be suitable, with the correct zoning, the Council will investigate the possibility of purchasing or leasing (long-term) the undeveloped plot of land.*

See above for item no. 24

## **25. Correspondence**

- Letter from Halcrow Barry dated 1<sup>st</sup> April 2016, regarding M18 Motorway Service Area Cllr McMahon noted that he has land in this area so will not be part of discussions. He has informed Halcrow Barry of this.
- OPW to be invited to a meeting on general issues. F Mooney to issue invite.
- Regarding JPC strategic and annual work plans, the question of parental responsibility was highlighted.

## **26. AOB**

- Cllr Ryan informed members that a briefing on the Draft County Development Plan would occur on 2<sup>nd</sup> June 2016 from 3.30-5.30pm in the Council Chamber, Ennis.
- Roads Programme – an additional €70,000 had been allocated to the SMD and Eugene O’Shea is to review the programme and bring proposals regarding the €70K to a further meeting.
- Members went back to items 8 and 24 of the agenda and it was confirmed that the outcome of discussions was that non-public roads would be directed towards the community roadworks scheme.
- Cllr McKee expressed a vote of sympathy upon the death of J Rice who had been involved in the twinning of Elizabeth City, New Jersey, and Shannon Town Council. Cllr Flynn seconded this.
- Cllr McKee suggested the municipal district mark the occasion of the 100<sup>th</sup> birthday of Drumgeely Avenue resident, Michael Walsh. Meetings administrator to issue invite.
- Next meeting, the AGM, will take place 28<sup>th</sup> June at 3.30pm