

**Minutes of the Shannon Municipal District Meeting held on  
Tuesday, 9<sup>th</sup> July 2019 at 11.00am at the office of the Municipal District,  
Town Hall, Shannon, Co. Clare.**

**Present:** Councillors Gerard Flynn (Cathaoirleach), Cathal Crowe, John Crowe, Pat McMahon, P.J. Ryan, Michael Begley, Liam Conneally Director, John Strand, Executive Engineer, Siobhán O'Reilly Administrative Officer

**Apologies:** Cllr. Mike McKee, Aidan O'Rourke, Senior Executive Engineer & Patricia O'Neill, Staff Officer

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**1. Minutes of Shannon Municipal District Meeting held on Tuesday 14<sup>th</sup> May 2019**

The minutes of the Shannon Municipal District Meeting held on Tuesday 14<sup>th</sup> May, 2019 were proposed by Cllr. PJ Ryan and seconded by Cllr. Pat McMahon and agreed by all.

**Matters arising:**

**2. Minutes of Shannon Municipal District AGM held on Tuesday 11<sup>th</sup> June 2019**

The minutes of the Shannon Municipal District Annual General Meeting held on Tuesday 11<sup>th</sup> June, 2019 were proposed Cllr. PJ Ryan and seconded by Cllr. Pat McMahon and agreed by all.

**3. Update on Allotments Project**

Carmel Greene, SEO Economic Development updated members on progress in relation to the Allotments Project. The Part 8 application was approved at the July meeting of Clare County Council. A 20 year lease arrangement is being put in place with the landowner. Construction is to begin in August and it is intended that the project will be complete by end of October. Different size allotments will be available to suit the varying needs of people. A formal letter is being issued to the Allotment holders. An Allotment Holders Association is being formed and they will arrange open days and some training and will manage the site.

The Elected Members thanked all involved in progressing the project to this point.

**4. Proposed Declaration of Public Roads at Rosán, Bunratty**

Proposed by Cllr. PJ Ryan and seconded by Cllr. Gerry Flynn and agreed by all.

**5. Disposal of Lands**

- Disposal of lands (by sale) at Moyhill, Cratloe pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Planning & Development Act 2000 (as amended).

Proposed by Cllr. PJ Ryan and seconded by Cllr. Cathal Crowe and agreed by all.

- Disposal of piece of land (by sale) at 19 Slaney Park, Shannon pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Planning & Development Act 2000 (as amended).

Proposed by Cllr. Gerry Flynn and seconded by Cllr. Pat McMahon and agreed by all.

- Disposal of lands (by lease) at Ballycaseymore, Shannon pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Planning & Development Act 2000 (as amended)

Proposed by Cllr. . Gerry Flynn and seconded by Cllr. PJ Ryan and agreed by all.

- Disposal of property at 14 Elton Court, Meelick, Co. Clare

Proposed by Cllr. Cathal Crowe and seconded by Cllr. Michael Begley and agreed by all.

- Disposal of property at 66 Elton Court, Meelick, Co. Clare

Proposed by Cllr. Cathal Crowe and seconded by Cllr. Michael Begley and agreed by all.

## 6. Road Works Programme \ Roads

John Strand, EE , provided an update on the roads works programme

- Restoration Maintenance

All roads prepared for Surface Dressing, should be in a position to start this week, testing complete, designs underway, chips in depots, awaiting our turn on the surface dressing program.

- Restoration Improvement

Ballymurtagh Industrial estate road; consultant in place, design underway, topographical survey complete, site investigation to commence shortly

Shannon MD to tender for remedial works to concrete roads in Aidan Park

- Drainage Works

7 projects, 5 complete with 2 outstanding

- GMA fund project summary

37 projects; 17 complete, 13 underway by Clare Co Co / nominated contractor

Tender for playground re-surfacing at Tir na Nog Shannon in progress, tender evaluation to start next week

The matter of grass cutting on road sides in Shannon area was raised. Area office were requested to ensure that the contractor for same be advised that issues re inadequate cutting etc need to be addressed.

Concern was expressed about the inaction on the part of the TII in respect of Shannon Town roundabout despite various correspondence requesting that they address the area. Liam Conneally advised that he would make a contact with the TII in order to progress matters.

Work at Monument Cross needs to be prioritised given the dangerous nature of the junction.

A discussion took place in relation to the lack of available truck stops with appropriate facilities for truck drivers. It is expected that Supermacs will be reapplying for planning

permission at Junction 12 once issues are sorted. The geographic location of these developments should be such that they do not negatively impact on nearby communities.

## 7. Economic Development

Liam Conneally provided an update in relation to a number of matters:

- (i) SDZ : The SDZ is firmly in the Draft RSES which is to be adopted in September/October 2019. There are 2 parallel processes in train in order to make the south Clare/UL SDZ application in September 2019. The first process involves the establishment of a Special Purpose Vehicle (legal DAC) to make the application. The second process involves the completion of the supporting SDZ report justifying the economic and social need for the SDZ. The DAC would be required to prepare the Planning Scheme within 2 years of the designation as an SDZ.
- (ii) Shannon Master Plan: the Senior Planner is preparing a brief for the master Plan which will go to tender in Q3 2019. In parallel, meetings with landowners and stakeholders will take place in Q3. Plan is to have completed a Master Plan in Q1 2020.

Councillors raised the matter of the Shannon Shamrock Hotel which remains idle and asked that the Council consider acquiring the site with a view to levelling and putting back on the market. The Director advised that due diligence would have to be completed and a proper business case put in place for any potential decision re this site. Cllr Ryan advised that issues around archaeology and expensive investigations are deterring investors from acquiring the site.

## 8. Notice of Motion submitted by Cllr. Michael Begley Ar moladh Cllr Michael Begley Cuidithe ag Cllr Cathal Crowe

That suitable/appropriate traffic warning signs be put on or before the bad bend on the L-3054 approx. 500m west of Barry's Cross.

Aidan O'Rourke replied as follows:

*This location will be examined with a view to determining what measures, if any, are warranted to improve safety at this bend*

## 9. Notice of Motion submitted by Cllr. Michael Begley Ar moladh Cllr Michael Begley Cuidithe ag Cllr Cathal Crowe

That appropriate safety measures be taken to protect pedestrians and property on the bend between Browne's Pub and the entrance to Fairyfield Estate in Parteen.

Aidan O'Rourke replied as follows:

*A public footpath is in place along this route. Some difficulty arises where a property owner along this route does not comply with their duties under the roads act 1993 to cut vegetation growing from their property boundary onto the public footpath and this restricts the width available. This office will issue a warning letter to advise the property owner of their responsibility in this regard and will take action to improve safety as required.*

Cllr Begley pointed out that the location he was concerned with is that area at the bottom of the hill where there is a cul de sac to entrance of Fairyfield. The safety of people walking here is of concern and pedestrian delineation would be useful.

**10. Notice of Motion submitted by Cllr. Michael Begley**  
**Ar moladh Cllr Michael Begley**  
**Cuidithe ag Cllr Cathal Crowe**

That the footpaths on the L-70541 from its junction with the R-463 at Gortatogher to the entrance to Seancoil Sports be cleaned and made safe for pedestrians to use.

Aidan O'Rourke replied as follows:

*Arrangement will be made for this maintenance work to take place as soon as resources permit.*

**11. Notice of Motion submitted by Cllr. Cathal Crowe**  
**Ar moladh Cllr Cathal Crowe**  
**Cuidithe ag Cllr Michael Begley**

That Clare County Council liaise with the ESB so that street lighting / flood lighting can be installed on the Tailrace Bridge, Parteen.

Aidan O'Rourke replied as follows:

*The Shannon Municipal District office will make contact with the ESB with a view to developing a plan for the provision of street lighting at this location. If the ESB are unwilling to fund this work a source of funding will need to be identified for this work to progress.*

Cllr Cathal Crowe stated that this matter has been raised in previous motions and no action taken by either ESB or Council. Bridge is owned by ESB. Cllr Crowe suggested that the Council floodlight both sides. Cllr PJ Ryan was of the view that the ESB should fund this given the amount of land given to ESB from the Council over the years for ESB boxes.

**12. Notice of Motion submitted by Cllr. Cathal Crowe**  
**Ar moladh Cllr Cathal Crowe**  
**Cuidithe ag Cllr Michael Begley**

That Clare County Council inspect the substandard footpaths, kerb sections and roadways of the Shannon Banks estate and devise a plan for urgent remedial work.

Aidan O'Rourke replied as follows:

*Footpaths in the Shannonbanks estate will be inspected & surveyed and will be considered for remediation in the next phase of footpath works.*

**13. Notice of Motion submitted by Cllr. Cathal Crowe**  
**Ar moladh Cllr Cathal Crowe**  
**Cuidithe ag Cllr PJ Ryan**

With reference to the Woodcock Hill area -

- (i) that Clare County Council declare Barry-Thomous Bridge to be a 'protected structure'.
- (ii) restore the damaged roadway (caused by forestry trucks) between Barry-Thomous Bridge and Gallows Hill Cross.
- (iii) remove tree branches (cut by Clare County Council) in the vicinity of Barry-Thomous Bridge 18 months ago that are fully obstructing the only remnants of the ancient Limerick - Ennis roadway.

Brian McCarthy, Senior Planner replied as follows:

*(i) It is noted that there is a recorded reference to the Barry-Thomous Bridge in the Clare Archives "MORRISSEY'S CHAIR": A mountain stream runs under Barry-Thomous Bridge, built in 1837. A large flat-topped rock can be seen on the bank above a very obvious stream fording point. A short surviving stretch of the old stage road can be seen inside the 1837 road ditch...."*

Section 51 of the 2000 Planning and Development Act as amended defines a Protected Structure as a structure, which forms "part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest". There is a requirement on Planning Authorities to maintain a Record of Protected Structures (RPS). The making of an addition to, or a deletion from, a record of protected structures is a reserved function.

Volume 4 of the Clare County Development Plan 2017-2023 comprises the Record of Protected Structures. Subject to a full investigation of the bridge, in the event that the Members consider it appropriate, Barry-Thomous Bridge can be proposed onto the Record of Protected Structures as part of the preparation of the next Clare County Development Plan.

Brian McCarthy, Senior Planner to be advised that Members consider it appropriate that Barry-Thomous Bridge be proposed onto the RPS as part of the preparation of the next Clare County Development Plan.

Aidan O'Rourke replied as follows:

- (ii) Repairs were carried out on this roadway following damage caused by heavy traffic at the location earlier in the year. Further repair works will be carried out as required as soon as resources permit.*
- (iii) The branches at this location will be removed at the earliest opportunity*

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

**Ar moladh Cllr Pat McMahon**

**Cuidithe ag Cllr Gerry Flynn**

That this MD install traffic calming measures on the main Limerick Road leading out of Newmarket On Fergus in the vicinity of the entrance to Boheraroan Housing Estate, Newmarket on Fergus.

Aidan O'Rourke replied as follows:

*A speed feedback sign will be installed as part of the GMA works programme this year. A pedestrian crossing will be installed along this road this year. It is hoped that both measures will result in a reduction of speed on this roadway.*

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

**Ar moladh Cllr Pat McMahon**

**Cuidithe ag Cllr Gerry Flynn**

That Clare County Council install traffic calming strips in Gleann Cora, Newmarket on Fergus, opposite the green field area, in order to protect the young children that use this field.

Aidan O'Rourke replied as follows:

*This location will be examined with a view to determining what measures, if any, are warranted to improve safety at this housing estate.*

**16. Notice of Motion submitted by Cllr. Pat McMahon**  
**Ar moladh Cllr Pat McMahon**  
**Cuidithe ag Cllr Gerry Flynn**

That Clare County Council install a lower traffic speed limit on the Stonehall Road, Newmarket on Fergus, due to the excessive speed by some motorists.

Aidan O'Rourke replied as follows:

*This submission will be considered under the next countywide speed limit review. An Garda Síochána can be consulted if persons are aware of particular offenders along this stretch of rural roadway.*

**17. Notice of Motion submitted by Cllr. Gerard Flynn**  
**Ar moladh Cllr Gerry Flynn**  
**Cuidithe ag Cllr PJ Ryan**

I am calling on the Senior Engineer to put in place a new tarmacadam surface at the side and back of 15 Gort Road. This location was assessed some years ago but unfortunately no work was carried out and the current walkway is now a health & safety risk.

Aidan O'Rourke replied as follows:

*This location will be examined and considered for inclusion in the next round of footpath repairs, subject to availability of funding.*

**18. Notice of Motion submitted by Cllr. Gerard Flynn**  
**Ar moladh Cllr Gerry Flynn**  
**Cuidithe ag Cllr PJ Ryan**

That Clare County Council explains the reasons behind the lack of quality maintenance on the green infrastructure in Shannon and also the failure to maintain the recently constructed River Walk and also the failure to address the many concerns of employers and road users in the Smithstown road area due to minimal cutting back of road edges. The Town of Shannon from its position as the second largest town in Clare and contributing a vast amount of revenue to Clare County Council deserves more attention from the Council.

Aidan O'Rourke replied as follows:

*The issue of green area maintenance was the subject of a Notice of Motion which was answered at the Shannon Municipal District Meeting of May 2019. The sides of the recently rehabilitated walkway are not part of the grass cutting contract. The walkway is located in an area of natural beauty and was never intended to have a structured cutting programme. Where growth is reducing path width to the point where only one-way traffic is possible this office will examine cutting of the grass and weeds at these locations. There were a number of road junction locations recently identified to this office as requiring grass cutting to improve sight distance. These were cut and will continue to be actioned as required.*

**19. Notice of Motion submitted by Cllr. Gerard Flynn**  
**Ar moladh Cllr Gerry Flynn**  
**Cuidithe ag Cllr Pat McMahon**

I am calling on Clare County Council once again to come up with a road design to address the dangers facing the local community on a daily basis at Monument Cross, Newmarket On Fergus. I receive numerous calls concerning this location and I have submitted a number of Motions to the Council over the years but regrettably nothing has been done to alleviate the apparent risks for the public.

Aidan O'Rourke replied as follows:

*A review of the file on this location has shown that a design was produced by Clare County Councils Road design office for this location in 2011 and funding provided. The design provided for the construction of a T junction onto the R472 from the L 3162 Urlan More road. Due to significant resistance from locals to the proposed design the project was not completed as intended and instead works took place to improve sight distance at the junction. The proposal can be revisited to examine if the views of the objectors have changed.*

**20. Notice of Motion submitted by Cllr. P.J. Ryan**  
**Ar moladh Cllr P.J. Ryan**  
**Cuidithe ag Cllr John Crowe**

That this MD would erect acute bend road signs and slow markers on the road known locally as Cloughlea/Rossmanagher Road near Rossmanagher House V95F306.

Aidan O'Rourke replied as follows:

*This location will be examined with a view to determining what measures, if any, are warranted to improve safety at this bend.*

**21. Notice of Motion submitted by Cllr. P.J. Ryan**  
**Ar moladh Cllr P.J. Ryan**  
**Cuidithe ag Cllr Cathal Crowe**

That this MD would carry out repairs to the culvert and replace broken pipes at Cronin's Cross, Knocklisheen, Meelick.

Aidan O'Rourke replied as follows:

*This location will be examined to determine what works are required and will be progressed subject to available resources.*

Cllr Ryan requested more urgency re this request and was not satisfied with the reply.

**22. Notice of Motion submitted by Cllr. P.J. Ryan**  
**Ar moladh Cllr P.J. Ryan**  
**Cuidithe ag Cllr John Crowe**

That this MD would carry out repairs to the entrance gate, boundary walls and old Church wall and remove two potentially dangerous trees at Feenagh Cemetery, Sixmilebridge

Monica Meehan, Senior Executive Officer, replied as follows:

*Over the last number of years there has been an increased demand for maintenance works within burial grounds including repairs to boundary walls and piers, installation of gates, cutting back of ivy etc. This puts pressure on limited financial resources making it necessary to prioritise works across a number of graveyards.*

*In relation to Feenagh Cemetery, the burial ground will be inspected with a view to identifying and progressing any necessary works within the available budget.*

Cllr John Crowe expressed concern over lack of financial resources available for Burial Ground works and said that adequate provision should be made for same in the budget.

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

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr PJ Ryan**

That this MD provide an update on the progress of the footpath from Ardrahan on the Broadford Road to the Jamaica Inn.

Aidan O'Rourke replied as follows:

*This footpath is not part of the current footpath works for 2019 but will be considered for inclusion in the next phase of footpath works.*

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

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr PJ Ryan**

That this MD provide an update on traffic calming measures in the housing estates in Sixmilebridge.

Aidan O'Rourke replied as follows:

*Traffic calming measures can be considered for any of the 19 housing estates in Sixmilebridge where the average speed exceeds the speed limit following a speed survey. The nature of such measures will vary depending on the location, road layout and visibility. Where a concern arises, a study will be carried out to determine if such measures are warranted and if so, a design will be prepared. The provision of speed control infrastructure is dependent on available funding. This office will undertake to review any concerns in relation speed in the estates in Sixmilebridge with the proposing Councillor.*

Cllr Begley suggested that all new planning permissions for housing estates should include a condition relating to the implementation of traffic calming measures as this would obviate the need to do such works retrospectively.

**25. Notice of Motions submitted by Cllr. John Crowe.**

**Ar moladh Cllr John Crowe**

**Cuidithe ag Cllr PJ Ryan**

That this MD provide an update on the wall of the river in the Square in Sixmilebridge and also provide a start date for the repair of the bridge in the Square in Sixmilebridge.



Aidan O'Rourke replied as follows:

*The river bank partial collapse here requires repair and has been made safe with temporary fencing. As bridge repair is planned for the adjacent bridge, it was intended that the same contractor would carry out both works. Unfortunately due to a number of unforeseen emergency bridge repair projects, two of which are in the Shannon Municipal District and of a nature and severity which warranted their prioritisation, the repairs at Sixmilebridge are delayed to the fourth quarter of this year. The Shannon Municipal District now intends to approach specialist contractors to affect this repair in advance of the Bridge repair works.*

## 26. Correspondence

- Report re Shannon Wetlands Restoration Project from Olive Carey. This was noted by Councillors. Members agreed to the request from Olive Carey to present to the members at the September meeting in relation to the Wetlands Restoration Project.

## 27. AOB

- Next Meeting 17<sup>th</sup> September 2019, 9:45am
- Councillors requested that Bus Eireann reinstate signage Cratloe area as previously agreed at the March meeting attended by Bus Eireann Representatives.
- Request start date from OPW re dredging of river in Sixmilebridge as previously requested on numerous occasion.

Signed: \_\_\_\_\_

**Cathaoirleach**

Signed: \_\_\_\_\_

**Meetings Administrator**

Dated:           **September, 2019.**