

Minutes of Meeting of the Killaloe Municipal District held on Wednesday 16th July, 2014 at 3:00 p.m. in the offices of the Municipal District at Mountshannon Road, Scariff

In attendance: Cllr. Joe Cooney
Cllr. Pat Hayes
Cllr. Michael Begley
Cllr. Pat Burke
Cllr. Tony O'Brien
Cllr. Alan O'Callaghan

Officials: Mr. Michael McNamara, Senior Executive Officer
Mr. Pat Henchy, Executive Engineer
Mr. Kieran O'Donnell, Administrative Officer

Item 1 Minutes of A.G.M. held on 11th June, 2014.

The minutes of the A.G.M. of the Killaloe Municipal District held on 11th June, 2014 were adopted having been proposed by Cllr. Pat Hayes and seconded by Cllr. Alan O'Callaghan.

Item 2 Agreed Standing Orders.

The Meetings Administrator advised the members that the amendments discussed at the previous meeting, had been made to the draft Standing Orders, which had been circulated with the Agenda. The Standing Orders were adopted, after being proposed by Cllr. Pat Hayes and seconded by Cllr. Pat Burke.

Item 3 Minutes of last Area Meeting.

The minutes of the final meeting of the Killaloe Electoral Area Committee held on the 24th April 2014, were noted by the members.

Item 4 Consultation Process regarding Court Sittings in Killaloe.

Michael McNamara, Senior Executive Officer advised the members that there was a proposal from the Courts Service that no further Court Sittings would be held in Killaloe. The members expressed their concern and disappointment at this proposal, noting that there were no longer court sittings in either Scariff or Tulla. They felt that this decision would place an undue burden on people who could least afford it and that it would also create an economic loss to the area. The lack of a proper transport system to Ennis was raised by the members who also felt that this

was a further attack on the services being carried out at a local level in rural Ireland. The members requested the Senior Executive Officer to submit a response to the Courts Service on behalf of the members.

Item 5 Functions of Members to be carried out at Municipal District level.

The functions to be carried out at Municipal District level had been circulated to the members. In relation to the Budget for 2015 Michael McNamara advised the members that the process for preparing the Budget had not been finalised. He outlined that discussions would take place with the C.P.G. and also at Municipal District level. He noted that Clare County Council was due to have a meeting with all Members on Friday when more details of the processes involved would be outlined by the Finance Department.

Item 6 Date for next meeting.

It was agreed that the next meeting will take place on the 17th September 2014 at 3:00 p.m.

Item 7 Notice of Motion submitted by Cllr. Tony O'Brien.

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. P. Hayes

“That Clare County Council undertake to continue the footpath from Brian Borus fort at Ballyvally Killaloe to the Amenity park at Ballycuggeran.”

Pat Henchy, Executive Engineer replied as follows:

“Extension of footpath on east side of R463 carriageway from Brian Boru's fort to Ballycuggeran Amenity has been a desirable aim of the Council for some time now. It covers a distance of approximately 2 kilometres, but of course, is dependent on a source of funding.”

Item 8 Notice of Motion submitted by Cllr. Tony O'Brien.

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. P. Burke

“That Clare County Council resurface the street in Bridgetown from Horans pub down to the church and over by the national school.”

Pat Henchy, Executive Engineer replied as follows:

“This section of L3080/L3082 will be included for consideration in the next Multi annual Roadworks Review. It is not included in 2014 Roadworks Programme.”

Cllr. Tony O'Brien complimented the Tidy Towns committee on the work they have carried out in Killaloe and asked that the Council would prioritise any maintenance works proposed for the area so that it would be completed prior to the 27th July, as the Killaloe Show was being held on that day. His request was supported by the other members. Pat Henchy, Executive Engineer agreed to the request.

Item 9 Notice of Motion submitted by Cllr. Pat Burke.

Proposed by: Cllr. P. Burke
Seconded by: Cllr. P. Hayes

"Calling on Clare County Council to erect the following signage at the lakeshore, Knockaphort, Mountshannon. 'No camping or overnight parking' "

Pat Henchy, Executive Engineer replied as follows:

“Council will provide and erect requested sign at Knockaphort.”

Item 10 Notice of Motion submitted by Cllr. Pat Burke.

Proposed by: Cllr. P. Burke
Seconded by: Cllr. T. O'Brien

"Calling on Clare County Council to give an update on the proposed bridge crossing/bypass for Killaloe."

Pat Henchy, Executive Engineer replied as follows:

“An Bord Pleanála granted approval for the Killaloe Bypass, Shannon Crossing and R494 improvement scheme in 2013. However, presently, this scheme is subject to a judicial review. Clare County Council have been notified that the High Court hearing will commence on December 2nd and will last approximately 5 days.”

Cllr. Pat Burke thanked Pat Henchy for the update but expressed his concern at the speed in which the project was proceeding.

Item 11 Notice of Motion submitted by Cllr. Pat Burke.

Proposed by: Cllr. P. Burke
Seconded by: Cllr. J. Cooney

"Given the effectiveness of the speed control measures introduced in Ogonnelloe and Tuamgraney recently, would Clare County Council consider installing these measures at other villages on busy regional roads?"

Pat Henchy, Executive Engineer replied as follows:

"Council is well disposed to provision of further speed warning devices, such as those recently installed on R352 and R463 at Tuamgraney and Ogonnelloe, but of course all dependent on availability of funding."

All the member spoke of the effectiveness of these new speed control measures and urged the Council to consider the installation of these measures at other strategic locations. They felt that these measures, when installed in an area, should be left there on a permanent basis and should not be moved from one location to another.

Item 12 Notice of Motion submitted by Cllr. Alan O'Callaghan.

Proposed by: Cllr. A. O'Callaghan

Seconded by: Cllr. J. Cooney

"I request the motion that the village of Kilkishen should be looked at setting up a traffic control measures. Cars are travelling through the village at a dangerous speed and it's making it very unsafe for residents."

Pat Henchy, Executive Engineer replied as follows:

"The R462 passes through Main Street, Kilkishen and is subject to 50k.p.h. speed limit through the village.

Complete reconstruction of the Main Street, subsequent to Sewerage Scheme, provided continuous footpaths on both sides of carriageway with high kerbing safeguarding pedestrians.

The implementation of speed limit is responsibility of Gardai."

The members were in favour of the Council installing traffic calming measures in Kilkishen, similar to those installed in Ogonnelloe and Tuamgraney.

Item 13 Notice of Motion submitted by Cllr. Alan O'Callaghan.

Proposed by: Cllr. A. O'Callaghan

Seconded by: Cllr. Ml. Begley

"I request the hedge to be cut between Cragganowen Cross to Cragganowen Castle. It is a very busy road with the tourist season in full swing. 5/6 buses everyday travelling along this stretch of road making it dangerous for everyone."

Pat Henchy, Executive Engineer replied as follows:

“L3000 is a local primary county road serving, among others, the Craggaunowen Centre. Roadside hedges, as in all roads, are of course the responsibility of landowners. Council will issue reminder notices to these landowners.”

The members expressed their concern at the condition of the approach roads to this tourist attraction and felt that it reflected poorly on the Council. They noted that the landowner in question had failed in the past to cut the hedge. Staff employed by Shannon Heritage who work at this location, have also outlined their concerns to Cllr. J. Cooney. Notwithstanding the Council’s policy on hedge cutting, the members urged Pat Henchy to discuss the matter with Eugene O’Shea, A/Senior Engineer to see if the matter could be resolved urgently. The members expressed their concern at the different approach taken to hedge cutting in Clare compared to neighbouring counties and noted the costs had increased due to the necessity to engage flag men. In response, Pat Henchy advised that he was obliged to implement the Council’s policy in this area. The members requested Pat Henchy to consider with Hugh McGrath, Senior Executive Engineer, if a greater allocation could be set aside for hedge cutting for the remainder of the year.

Item 14 Notice of Motion submitted by Cllr. Alan O’Callaghan.

Proposed by: Cllr. A. O’Callaghan
Seconded by: Cllr. J. Cooney

“I request a motion that the road outside Kilmurry school the R462 is dangerous to the 150+ pupils that attend this school. Measures should be taken to control traffic passing this school while the school is on holidays.”

Pat Henchy, Executive Engineer replied as follows:

“The school at Kilmurry is located in 50 k.p.h. speed limit zone. Traffic calming measures have been carried out, including, most recent school warning ahead painting on road surface, at either approach to school. Council road Safety Officer is shortly due to meet with Gardai at Kilmurry to discuss issue of infringements of speed limit.”

Item 15 Notice of Motion submitted by Cllr. Pat Hayes.

Proposed by: Cllr. P. Hayes
Seconded by: Cllr. J. Cooney and Cllr. A. O’Callaghan

“I am asking for a full report into the taking in charge of the Inchicronan Estate Crusheen, and to outline the works to be completed and the timeframe for these.”

Bernadette Haugh, Administrative Officer, Planning Department replied as follows:

“A taking in charge application was received from the developers of this estate on the 4th February, 2009. In November 2009 they were advised of outstanding issues in relation to Water Services issues, however the Planning Authority did not receive a response to this letter.

M. Fitzgibbon (Builders) Limited went into Receivership early in 2013 and a Receiver was appointed on the 3rd April 2013. The Planning Authority tried to engage with the Receiver in relation to this development, but were advised by them that they were appointed over certain assets of Fitzgibbon Builders Ltd and Inchicronan Estate was not one of them.

The Planning Authority made a claim on the bond in May 2013 and are in the process of preparing a scope of the required works to complete this development to taking in charge standard for submission to the bond holders in support of our claim on the bond.

A Section 180 request was received from the majority of the homeowners on the 24th June, 2014.”

Item 16 Notice of Motion submitted by Cllr. Pat Hayes.

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. P. Burke

“I propose that passing bays be put in place on the Uggoon to Dumcharley road as is very narrow in places.”

Pat Henchy, Executive Engineer replied as follows:

“L8106 is approx 2.1 km. in length and varies in width between 2.7 and 3.0 meters. Provision of additional passing bays would enhance free movement of traffic. While there is no specific funding for this road in 2014 Roadworks Programme the issue will be investigated and considered.”

Item 17 Notice of Motion submitted by Cllr. Pat Hayes.

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. A. O’Callaghan

“I am asking for a full report into the planned programme of works at the Flaggy Shore New Quay, and the timeframe and nature of these works.”

Pat Henchy, Executive Engineer replied as follows:

“There is no firm date for works to start in the Flaggy Shore New Quay area. We are currently awaiting a response from central government in relation to the February storm damage assessment and coastline protection works. When this response is received we will be able to progress with a fully resourced programme of coastline repair work for the entire county.”

Cllr. Pat Hayes expressed his disappointment at the progress being made in carrying out the repairs to the area.

Item 18 Notice of Motion submitted by Cllr. Joe Cooney.

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. A O’Callaghan

“That the Council give an up to date report on the gable-end of the derelict church in Clonlea Graveyard, Kilkishen as it is very dangerous and in the interest of safety.”

Betty Devanny, Administrative Officer, Tourism & Community Development Department replied as follows:

“Clonlea Church (in ruins) is listed in the Sites and Monument Register of the National Monuments Service Number CL043-027001 refers.

This matter has been referred to Building Control for inspection and report and once the outcome of the inspection is available, the matter will be further progressed at that stage.”

Item 19 Notice of Motion submitted by Cllr. Joe Cooney.

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. M. Begley

“That Clare County Council give an update report on the new sewerage scheme for Broadford.”

Pat Henchy, Executive Engineer replied as follows:

“Proposals for a sewerage scheme for Broadford had been submitted by the Council to the Department of Environment over many years. However, in the last Water Services Investment Programme, Broadford was excluded by the Department.

The decision to proceed with a sewerage scheme in Broadford will now be a matter for Irish Water as the Water Services Authority since 1st January, 2014. The Capital Investment Programme for 2014 announced by Irish Water does not include Broadford as they are focusing first of all on the main schemes that were in the previous investment programme.

Therefore, to date, a detailed business case for this scheme has not been submitted to Irish Water and the matter will be discussed with them at our next meeting to determine if they will consider a business case for Broadford Village, if it were prepared.”

Kieran O’Donnell was requested to seek clarification for the members as to why a business case was now required when this had been prepared in the past.

Item 20 Notice of Motion submitted by Cllr. Joe Cooney.

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. M. Begley & P. Hayes

“That Clare County Council take over the ownership of Boland’s road, Sallybank as it is now a very busy road.”

Pat Henchy, Executive Engineer replied as follows:

“This laneway was upgraded some years ago under Local Improvement Scheme. Clare County Council have not taken any rural laneways in charge for several years past, and with limited resources find it difficult to maintain network of roads in charge.”

Item 21 Notice of Motion submitted by Cllr. Michael Begley.

Proposed by: Cllr. M. Begley

Seconded by: Cllr. A. O’Callaghan

“That an up-to-date report (including the recommendations from the two consultants reports) be provided to the members on the flooding at Ballycar, Newmarket-on-Fergus and that Clare County Council take the lead with the full involvement of O.P.W., Iarnród Éireann, Department of the Environment and any other relevant stakeholders, to find a solution to this on-going problem and that a copy of this motion be forwarded to the Shannon Municipal District.”

Eugene O’Shea, A./Senior Engineer replied as follows:

“Following the flooding that occurred in the Ballycar area earlier this year Clare County Council sought and was granted funding to raise the road above flood levels in order to facilitate access to a number of dwellings during flood periods. These works will require the realignment of the existing road as well as the setting back of private property boundaries. Survey and design work are currently being undertaken by the Road Design Office with a view to completing the roadworks later this year. Drainage works will also be undertaken on the channels in the Newmarket on Fergus Drainage District for which Clare County Council has responsibility.

In relation to consultants reports Iarnrod Eireann commissioned a report in 2010 by RPS consulting engineers to prepare a long-term Strategic Flood Assessment for the flooding at

Ballycar Lough and to develop a programme of measures to alleviate or reduce flooding risk in the area.

Mr. Conor McGuinness, Programme Manager, Iarnrod Eireann, attended the March 2012 meeting of the Shannon Electoral Area Committee and gave a presentation to the Committee, outlining the background to the flooding problem, constraints, flood alleviation options and preferred solution, from Iarnrod Eireann's perspective.

This preferred solution was the removal of the underground restriction between the swallow hole and spring and included:

- Appropriate Assessment screening (stage 1) report carried out (required under Habitats Directive)
- Construct 1.5m. diameter piped culvert between swallow hole and downstream outlet – approx distance 440m.
- Mitigation measures required in Newmarket-on-Fergus and Lough Gash area due to additional flows in these areas
- Channel improvement required between Newmarket-on-Fergus and Fergus Estuary to deal with increased flow

The O.P.W. subsequently raised a number of concerns in relation to the IE-commissioned report and an O.P.W. representative, Mr. Michael Collins, attended the July 2012 meeting of the Shannon Electoral Area Committee to discuss these concerns.

Clare County Council will be happy to facilitate all stakeholders in this long-running issue with a view to progressing to an agreed solution at the earliest opportunity.”

Cllr. J. Cooney agreed to circulate details of an upcoming meeting to the other members.

Item 22 Notice of Motion submitted by Cllr. Michael Begley.

Proposed by: Cllr. M. Begley

Seconded by: Cllr. T. O'Brien

“That a tarmac overlay of the road from Clonlara Village (L-3058) to the entrance to the Council Sewerage Pumping Station just west of Clonlara sports centre be included in the 2014 roadworks programme.”

Pat Henchy, Executive Engineer replied as follows:

“This section of the L3058 will be included for consideration in the next Multi annual Roadworks Review. It is not included in 2014 Roadworks Programme.”

Following a request from the members, Pat Henchy agreed to look at possible temporary works to alleviate any issues that had arisen.

Item 23 Notice of Motion submitted by Cllr. Michael Begley.

Proposed by: Cllr. M. Begley
Seconded by: Cllr. T. O'Brien

“That repairs be carried out to the Meanagh road (L-70662) as it is in very bad condition.”

Pat Henchy, Executive Engineer replied as follows:

“County road L70662 at Meanagh and Cloonsheerea is a cul de sac classified local tertiary, serving a number of houses and agricultural properties.

The Community Involvement Scheme, initiated in 2013, has been extended to 2014 to facilitate upgrading of roads such as this and an application form has been sent to a local resident.”

Any Other Business

- The Meetings Administrator circulated correspondence received from the National Transport Authority in respect of new small public service vehicle licences and the needs analysis which was required to be undertaken by the Local Authority. Barry Keating, A./Administrative Officer, Roads Department is the designated contact person in Clare.
- There was a need to clarify what Hedge Cutting was permissible without contravening the Habitats Directive

The meeting then concluded.

Kieran O'Donnell
Meetings Administrator

16th July, 2014.