

Minutes of Meeting of the Killaloe Municipal District

held on Wednesday, 17th January, 2024 at 9.30am

Meeting held in Meeting Room, Killaloe Municipal District Offices

- In attendance:** Cllr. Tony O’Brien, Cathaoirleach Killaloe MD
Cllr. Alan O’Callaghan
Cllr. Joe Cooney
Cllr. Pat Hayes
Cllr. Pat Burke
- Officials:** Mr. Brian McCarthy, Senior Planner & Meetings Administrator
Mr. Declan Flanagan, A/Senior Executive Engineer
Ms. Pauline Costelloe, Staff Officer
- Apologies:** Ms. Anne Haugh, Director of Service

Members of the media attended.

The Cathaoirleach, Cllr. Tony O’Brien chaired the meeting.

Cllr. Tony O’Brien opened the meeting on a sad note referring to the very recent news of the passing of Michael McNamara, former County Secretary of Clare County Council and former Meetings Co-ordinator in the Killaloe Municipal District.

The Members expressed their sincere sympathy to Michael’s family, friends and relatives on his passing. The Members recounted their interactions with Michael during his time in Clare County Council, his professionalism, wide-ranging knowledge of local government and his willingness to assist both local representatives and staff. The Members referred to Michael’s important role in the local elections and recollected Michael’s announcement of their election and his assistance with their introduction to Clare County Council. B. McCarthy referred to Michael’s role as Area Co-ordinator in Killaloe MD from which he retired from in March 2016, he added that Michael was very knowledgeable and was greatly respected as a colleague, was considered a true gentleman by all who dealt with him and demonstrated throughout his career all the values of public service. Ar dheis Dè go raibh a anam.

As a mark of respect for our late colleague, Mr. Michael McNamara, the meeting was adjourned for 5 minutes.

Item 1 Minutes of Killaloe MD Budget Meeting held on 13th November, 2023

The Minutes of Killaloe Municipal District Budget Meeting held on 13th November, 2023 were adopted having been proposed by Cllr. J. Cooney and seconded by Cllr. A. O’Callaghan.

Item 2 Minutes of Killaloe MD Meeting held on 15th November, 2023

The Minutes of Killaloe Municipal District Meeting held on 15th November, 2023 were adopted having been proposed by Cllr. P. Burke and seconded by Cllr. P. Hayes.

Item 3 Minutes of Killaloe MD Special Meeting held on 22nd November, 2023

The Minutes of Killaloe Municipal District Special Meeting held on 22nd November, 2023 were adopted having been proposed by Cllr. J. Cooney and seconded by Cllr. P. Burke.

Item 4 Consideration of report under Section 183 of the Local Government Act 2001 as amended– Property at Cappaduff, Mountshannon, Co. Clare

Report dated 8th December, 2023 from Anne Haugh, Director of Service, Social Development was circulated with the agenda. The report states that it is proposed to dispose of property at Cappaduff, Mountshannon, Co. Clare as comprised in Folio CE32480F. The Members noted the report, as presented, and the disposal was proposed by Cllr. P. Burke, seconded by Cllr. P. Hayes and agreed.

Item 5 Matters Arising

Referring to Item 2 (Killaloe MD Meeting 15th November, 2023) Cllr. P. Hayes acknowledged recent correspondence circulated regarding a speed survey on the Mountshannon Road into Scarriff and commented with alarm at the high level of speeding violations. Cllr. P. Burke concurred.

Referring to Item 12 (Killaloe MD Meeting 15th November, 2023) Cllr. P. Burke complimented Killaloe MD on the speedy completion of footpath works in Drewsborough.

Referring to Item 7 (Killaloe MD Meeting 15th November, 2023) Cllr. T. O’Brien stated a number of public lights have been replaced in Bridgetown, however, there are still a number of poles and public lighting still to be repaired in the village.

Notices of Motion from Cllr. Tony O'Brien:-

6. “That the existing footpath on the left hand side of the road as you enter O Briens Bridge from the Killaloe Road be extended to the junction of the R466 and the R463 on one end and into the village on the same side of the roadway to the graveyard on the other end.”

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. J. Cooney

Reply from Declan Flanagan, A/Senior Executive Engineer:

“Clare County Council has reviewed the proposal of linking sections of Footpaths between the Graveyard and Canal Bridge in O'Briensbridge. Following inspection and a survey, land dedication will be required as there is insufficient road width to accommodate a new footpath, whilst there are some concerns regarding the amenity of pedestrians on the proposed section joining the busy junction at the R463. Killaloe MD will commence engaging with the local landowners and stakeholders to identify if the scheme can progress. A funding stream will also be required to deliver this scheme.”

7. “In light of the Environmental Protection Agency (EPA) report on the public water supply in O Briens Bridge and Bridgetown Uisce Éireann and Clare County Council water services attend the meeting to give a comprehensive report and to (1) Advise Members on what measures have been put in place to prevent such incidents happening again (2) Are all other public water supplies up to required standards (3) Assure Members of the MD council and the public that such an incident cannot reoccur in any of the public water supplies within the Killaloe MD.”

Proposed by: Cllr. T. O'Brien

Seconded by: Cllr. P. Hayes

Reply from Cyril Feeney, Senior Engineer:

“Clare County Council along with all other local authorities signed a new Master Co-operation Agreement (MCA) with Uisce Éireann in 2023. This new agreement replaced the Service Level Agreement (SLA) which had been in place since 2014. The new MCA places Uisce Éireann in direct management and control of water services operations and associated staff. This new arrangement will facilitate the transition of water services completely from the local authority

sector which will be finalised at the end of 2026. Therefore, Clare County Council staff are no longer in a position to attend Municipal District meetings or comment on water services operational UÉ. All queries should be directed to Uisce Éireann in that regard.”

Cllr. T. O’Brien referred to the report as damming and expressed his disbelief that UÉ could allow untreated water to be discharged. He referred to his request for UÉ and Clare County Council Water Services staff to attend the meeting and highlighted their non-attendance, added to the lack of a written response from UÉ, is not good enough. He proposed the Members contact UÉ seeking assurances that procedures have been put in place to prevent a recurrence and ensure this does not occur in other areas of Killaloe MD. Cllr. P. Hayes referred to the lack of communication between UÉ and public representatives and requested officials be invited to meet with Killaloe MD Members. Cllr. T. O’Brien concurred and requested UÉ be contacted to attend next MD meeting or issue formal reply to motion.

Notices of Motion from Cllr. Alan O’Callaghan:

8. “Road from Broadford to Sixmilebridge would be considered for the gritting works program and request can road be upgraded to a regional road as it’s a very busy to traffic.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. J. Cooney

Reply from Declan Flanagan, A/Senior Executive Engineer:

“Clare County Council acknowledge that the L-3008 Broadford to Sixmilebridge is a busy route, particular in mornings and evenings with commuter traffic. The L-3008 road is a well serviced road which has received significant funding from Restoration improvement and Restoration Maintenance works over the past few years. At present connectivity to Broadford and Sixmilebridge settlements are well served by an extensive Regional Road network. Broadford currently has four Regional Routes entering/exiting the village to other towns and villages along the L-3080 Local Primary Route. Similarly, Sixmilebridge has five Regional Routes servicing the town.

The Sixmilebridge to Broadford road currently is not part of Clare County Councils Winter Maintenance plan. At present, all salting routes are running at full capacity and, following

consultation with colleagues in the Roads Department, I am advised that it is not possible to add additional routes at this stage. All salting routes are available on Clare County Councils website, link below to the winter service plan and mapping.

[Winter maintenance and salting routes | Road safety | Roads and Transport | Services | Clare County Council \(clarecoco.ie\)](#) “

Cllr. O’Callaghan thanked D. Flanagan for the reply and added he would like to see the road condition upgraded and requested Killaloe MD examine a number of overhanging trees along the route.

9. “In light of all these wind energy sites been proposed from Ballycar, 12 OClock Hills, Oatfield, Caherhurley and surrounding area, that a more robust consultation with residents, Cllrs and the MD office be held as people are not happy with same.”

Proposed by: Cllr. A. O’Callaghan

Seconded by: Cllr. T. O’Brien

Reply from Garreth Ruane, Senior Executive Planner, Planning Department

“The adopted Clare County Development Plan (2023-2029) incorporates a renewable energy strategy and a wind energy strategy. These documents together with the plan itself set out the overall planning framework for renewable energy developments within the County. The Planning Authority engaged in extensive consultation with the public as part of the plan-making process. Where a windfarm application is made directly to the Planning Authority then third-party observations can be made in relation to the development concerned within the statutory time periods as set out in the Planning Regulations. Certain windfarm applications (25 no. turbines or output of 50MW or more) are required to be made to An Bord Pleanala as Strategic Infrastructure Developments (SID’s). In such cases third party observations are required to be made directly to the Board.

The submission of a planning application together with the carrying out of any prior public consultation is a matter for each applicant/developer. Applicants are strongly advised at the pre-planning stage to conduct effective public consultation; however, the Planning Authority has no statutory role in the level or extent of consultation to be provided by individual applicants.”

Cllr. O’Callaghan sought clarification and asked if the local authority or windfarm companies engage with the public on these proposals. He stated people in the area need to be better briefed, he referred to one way communication and consultations taking place at inconvenient times and locations. Cllr. O’Callaghan added information needs to be more accessible to the general public and stated vast amounts of documentation and poorly placed signage by wind energy developers is not acceptable. Members concurred and added that the windfarm companies need to keep public representatives informed. Cllr. P. Hayes referred to the absence of a Wind Energy Strategy in the County. In response B. McCarthy considered that reference from the Planning Department in their reply to “the Planning Authority engaged in extensive consultation with the public” possibly referred to the County Development Plan process. He noted there is an onus under EIA Directives on the applicant i.e. the windfarm company to engage in the consultation process as far as and as extensive as is practical.

Notices of Motion from Cllr. Joe Cooney:-

10. “That Clare County Council give an update on progress for the improvements works at the junction where Church Street exit onto the L4082 Main Street, Tulla in the interest of safety.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. P. Hayes

Reply from Declan Flanagan, A/Senior Executive Engineer:

“Clare County Councils Road design team has surveyed the junction between Church Street and Main Street. A detailed survey was carried out in June 2022 with twenty cross sectional surveys which would remove the stepped kerbing and improve the road surface. A funding stream will be required to deliver this project.

In order for this scheme to proceed, there would be benefit in a Public Realm Plan being prepared which would comply with The Town Centre First policy which aims to create town centres that function as viable, vibrant and attractive locations for people to live, work and visit, while also functioning as the service, social, cultural and recreational hub for the local community.”

Cllr. J. Cooney welcomed the update and acknowledged works completed at other sites around Tulla, however, he highlighted the need to prioritise this location and seek funding outside of the

Public Realm Plan. Cllr. P. Hayes referring to a number of recent housing developments in Tulla asked if this funding stream could be examined. Cllr. A. O’Callaghan concurred.

D. Flanagan replied that a survey has been undertaken at the location and referred to the Town First Policy as a possible revenue stream. Cllr. J. Cooney requested that some short-term measures be consider to make the location safe.

11. “That Clare County Council call on Uisce Éireann to give a report regards capacity for the wastewater treatment plant in Kilkishen.”

Proposed by: Cllr. J. Cooney

Seconded by: Cllr. A. O’Callaghan

Reply from Cyril Feeney, Senior Engineer:

“Clare County Council along with all other local authorities signed a new Master Co-operation Agreement (MCA) with Uisce Éireann in 2023. This new agreement replaced the Service Level Agreement (SLA) which had been in place since 2014. The new MCA places Uisce Éireann in direct management and control of water services operations and associated staff. This new arrangement will facilitate the transition of water services completely from the local authority sector which will be finalised at the end of 2026. Therefore, Clare County Council staff are no longer in a position to attend Municipal District meetings or comment on water services operational UÉ. All queries should be directed to Uisce Éireann in that regard.

Following referral of this Notice of Motion, Uisce Éireann has indicated that “as part of the Programme for Government, it was an objective of UÉ to publish the Wastewater Treatment Capacity Registers. These capacity registers are aimed at providing the general public with an indication of the status of the available capacity of the treatment plant.

UÉ publish these registers annually for each county. The register for County Clare is available here and shows that the Kilkishen WWTP has available capacity. <https://www.water.ie/connections/developer-services/capacity-registers/wastewater-treatment-capacity-register/clare/>

The remaining capacity available at treatment plants changes regularly based upon the loads

received from existing customers. Our registers are only an indication of available capacity. In all instances if someone is considering progressing a development they should contact our Connections team who will provide a greater level of detail in relation to the availability of waste water treatment capacity. Learn more about the pre connection enquiry and waste water connections process in the Connections section of this site, <https://www.water.ie/connections/>”

Cllr. A. O’Callaghan acknowledged the reply and asked if other means of communication can be made available for Members. B. McCarthy clarified that whilst Clare County Council do not have any role or remit in Water Services, Cyril Feeney, SE is in place to assist in the transition period. He referred to the dedicated phone number for public representatives and indicated he would provide them with it. Cllr. J. Cooney referred to IW clinics which appear to have stopped. Cllr. P. Hayes requested that B. McCarthy take the matter up with senior management.

Notices of Motion from Cllr. Pat Burke:-

12. “Calling on Clare County Council to give an update on the Limerick to Scariff Greenway“

Proposed by: Cllr. P. Burke

Seconded by: Cllr. T. O’Brien

Reply from Brian McCarthy, Senior Planner and Killaloe MD Coordinator

“The Limerick to Scariff Greenway is a 43km Greenway which will connect Scarriff with Limerick City. A steering group has been established to aid in the delivery of the project. Members of the Steering group include Waterways Ireland, TII, Clare County Council and Limerick City and Council. Public consultation evenings have previously been held on route corridor selection options for the project. Arising from this Notice of Motion, Waterways Ireland have indicated that following previous consultation referred to above, “a preferred route corridor report is now at final draft stage having been reviewed by Project Steering group Members. Waterways Ireland will be holding a series of public consultation evenings to display the Preferred Route corridor in the coming weeks. These public consultations will be advertised locally once finalised. When the public consultation phase for the Preferred Route Corridor is finalised, the project will progress to detailed design, approvals and delivery”.

By of discussion after, B. McCarthy indicated he was in communication with Waterways Ireland who would welcome the opportunity to present an update to the Elected Members of Killaloe Municipal District, potentially at the March meeting.

13.“Calling on Clare County Council to deal with the following issues at Mountshannon Harbour

- 1) Remove unsightly and abandoned boats from the council controlled pier.
- 2) Remove the ‘Do not feed the Swans signs‘as they are no longer required.
- 3) Deal with the issue of illegal dumping at the bottle banks.”

Proposed by: Cllr. P. Burke

Seconded by: Cllr. T. O’Brien

Reply from Declan Flanagan, A/Senior Executive Engineer:

“Killaloe Municipal District will continue to work with Waterways Ireland, local stakeholders and local representatives in obtaining information on the existing boats at Mountshannon Harbour. We have been advised that there is one vessel that needs repair, and we have been in contact with the owner who has stated repair works will be carried out this spring. The remaining vessels on site were inspected on site on the 15th of January and appear in good order. We have noted some of the vessels are registered with Waterways Ireland.

With regard to the Swans Signage at the Blue Flag Beach in Mountshannon, these signs were erected in response to UÉ arising from Members of the public feeding swans which had a negative effect on the bathing waters. These signs have now been removed.

Clare County Council’s Environment Section monitor all 52 Bring Banks on a weekly basis and in general they are well maintained with few incidents of dumping noted. The Environment department have used social media to advise the public that if a bottle bank is full, to use an alternative location. However, we do note that dumping persists. The Environment Section are keeping the issue under constant review. In addition, arising from this Notice of Motion, the Environment Section will complement the routine inspections of our Bring Bank Supervisor with additional inspections by our Community Wardens. The Bottle Banks at Mountshannon was

inspected following this Notice of motion on the 11th of January 2024 and no illegal dumping was found.”

Cllr. P. Burke thanked D. Flanagan for the reply and added he would like to see more action in tidying up the area particularly with the progression of the Inis Cealtra project. Cllr. O’Brien supported the motion and referred to similar problems with dumping in Killaloe, he proposed the MD engage with Waterways Ireland and develop a proactive approach to deal with refuse/litter accumulating in these amenity areas.

Notices of Motion from Cllr. Pat Hayes:-

14. “I propose a motion for the naming of Scarriff Library in honour of Edna O’Brien. Edna O’Brien has made an immeasurable impact on Irish literature and culture. It is fitting that we recognise her contributions in a meaningful and lasting way. I propose that Scarriff Library be officially named the "Edna O’Brien Library" to celebrate the outstanding achievements and contributions of this iconic Irish author to the world of literature. As a native of our locality, naming the library after Edna O’Brien will serve as a reminder of the rich cultural heritage of our community and inspire future generations. Edna O’Brien has not only gained international acclaim but has also played a pivotal role in shaping the literary landscape of Ireland. By naming the library after her, we pay tribute to her profound impact on literature and her role as a source of inspiration and pride for our local community.”

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. P. Burke

Reply from Brian McCarthy, Senior Planner and Killaloe MD Coordinator

“Born nearby in Drewsborough, Edna O’Brien is one of the most celebrated writers in the English language and arguably Ireland’s greatest living author. The proposal to name Scarriff Library in honour of Edna O’Brien is fitting and appropriate in recognition of her achievements, her brilliant consistency, literary skill, courage and impact of her work for over 60 years. Following consultation with the County Librarian arising from this Notice of Motion, there is significant support for the proposal to name the Library in Scarriff in honour of Edna O’Brien. The proposal is even more apt and fitting as the Edna O’Brien library would be the first Clare County Council building named after a Clare woman and a literary pioneer.”

The motion was unanimously supported. In reply to Cllr. P. Hayes, B. McCarthy informed Members that the formal process could commence immediately, and that in conjunction with the Library Service, appropriate signage and an official opening would be arranged.

15. “I propose a motion to urgently address the safety concerns on the regional route between Scariff and Tuamgraney at the junction leading to the town of Scariff. The absence of a pedestrian crossing and the need for traffic calming measures pose significant risks to both pedestrians and motorists. With the recent closure of Gala it has meant that extra school children and pedestrians are walking from Tuamgraney to Scariff. It creates a significant risk at this junction and the need for safety measures is now crucially important to the safety of pedestrians and motorists. The quick implementation of these measures is crucial to mitigate potential risks and accidents at this junction.”

Proposed by: Cllr. P. Hayes

Seconded by: Cllr. J. Cooney

Reply from Declan Flanagan, A/Senior Executive Engineer:

“Killaloe Municipal District has recently carried out speed surveys on approach roads to Scarriff and aware of speeding violations taking place. In 2019 as part of the Scarriff Town & Village renewal, a large raised table was installed at the Forge. This has proved to slow down traffic at this particular location adjacent to Riverview estate and The Scarriff Health Care centre.

There is merit in the addition of a pedestrian crossing and control measures at the Junction leading to Scarriff. There are some limitations on design as sightlines are hindered at Scarriff Bridge and road width may possibly be an issue on the Mountshannon side of the Junction. In support of this proposal, Killaloe MD will be putting this potential scheme to our Road Design team to assess and design. Moreover, there is merit in concurrently enhancing the visual appearance of this important junction, to enhance the sense of arrival and entrance into the commercial core of Scarriff.”

Cllr. P. Hayes acknowledged the reply and asked if short-term warning lights for pedestrians could be considered at the location. Cllr. J. Cooney referred to traffic coming from Mountshannon side backing up as cars wait to turn up to the right, he asked if the junction as a whole could be reviewed. Cllr. O'Callaghan asked if another pedestrian crossing could be considered, Cllr. P. Burke referred to the need to enhance the sense of arrival into the town.

D. Flanagan referred to recent speed surveys undertaken by Killaloe MD in Tuamgraney, Scarriff and the Mountshannon Road. He informed Members that the survey outcome has been forwarded to An Garda Siochana requesting feedback on enforcement. With regard to the junction D. Flanagan advised a request has been submitted to the road design office to draft plans for the junction in Scarriff and the installation of short-term measures will be examined.

Cllr. T. O'Brien stated this issue is replicated in a number of other locations around the MD i.e. Ogonnelloe and Newtown. He referred to a need for more enforcement and engagement with Gardai. Cllr. P. Hayes sought clarification regarding speeds recorded on Mountshannon Road and requested temporary measures be considered. Cllr. P. Burke referred to a previous motion regarding speeding in Drewsborough near Kerry Co-op. He queried if any update has been received regarding government proposals to reduce speed limits. D. Flanagan informed Members he would relay any feedback received from An Garda Siochana.

16. Correspondence

Correspondence from Cathaoirleach Cllr. Tony O'Brien on behalf of the Killaloe MD to Secretary General, Department of Housing, Local Government and Heritage seeking the provision of funding for Wastewater Treatment facilities for the settlement of Broadford.

Referring to the recent announcement of funding for the project, Cllr. T. O'Brien thanked the Members, Clare County Council Executive and all the stakeholders involved in the process. Members complimented Broadford Action Group on their role in progressing the project. and Cllr. P. Hayes Cllr. J. Cooney concurred and referring to a recent council motion outlining the need to examine other settlements within Killaloe MD with a view to selecting one and ensure proper infrastructure is in place for development.

17. Confirm date for next meeting

It was agreed the next Killaloe MD meeting be arranged for Wednesday, 20th March 2024 in the Killaloe MD offices, Scarriff.

Other Business

Cllr. A. O'Callaghan informed Members of upcoming Clare Forest Rally 4th – 6th October, 2024

Cllr. T. O'Brien requested Garda Superintendents from East Clare Tipperary North CE and Clare CE districts be invited to meet with Killaloe MD Members

A vote of sympathy was expressed to Kieran O'Callaghan, Roads Department and to his family on the death of his brother Shaun, may he rest in peace. Cllr. P. Hayes acknowledged Shaun's contribution and involvement in the local community.

Cllr. P. Hayes referred to a number of complaints received regarding dog fouling in Scarriff.

Cllr. J. Cooney sought update regarding extension of footpath into Tuamgraney. B. McCarthy replied an application for funding under Oiris was submitted in 2023 and a positive outcome is awaited.

Brian McCarthy,

Senior Planner and Killaloe MD Meetings Administrator