

Minutes of the Municipal District of Shannon meeting held on Tuesday 18th November 2014 9:45am at Town Hall, Shannon, Co. Clare.

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

Niall Barrett, Area Co Ordinator, Eugene O'Shea, Senior Executive Engineer, Pádraig Malone, SO. Apologies Fiona Mooney, Meetings Administrator.

1. Minutes of Meeting held on 24th September 2014

At the outset of the meeting Cllr PJ Ryan wished Mr. S Halpin well and thanked him for his previous assistance as Meetings Administrator. This was echoed by N Barrett and all present at the meeting. The minutes of the last meeting held on 24th September were proposed by Cllr Flynn, seconded by Cllr Ryan and agreed. There were no matters arising.

2. Minutes of the Budget meeting held on 8th October 2014

The minutes of the budget meeting held on the 8th October 2014 were proposed by Cllr Flynn, seconded by Cllr McMahon and agreed. There were no matters arising.

3. Nominations for the Working Group on CEDRA Report

Mr. N Barrett requested two nominations to participate in a working group made up of Elected Members and officials. Cllr Flynn was proposed by Cllr McMahon and seconded by Cllr Ryan and agreed. Cllr Ryan was proposed by Cllr Flynn and seconded by Cllr McMahon and agreed.

4. Roads Programme

Cllr C Crowe requested that the Senior Engineer give the meeting his views on how best to use the €50,000 of additional funding for roads in the municipal district. Mr. O'Shea firstly acknowledged the hard work done by Mr. Liam Browne over the last few years and wished him well in his new role. Mr. O'Shea went on to state that the 2014 Roads Programme had been successfully completed as is evident on the ground. He suggested that the €50k allocation to be spent as follows;

- €30k to be expended on footpath improvements including drop kerbs, disability access etc along with other footpath repairs that are deemed to be a priority within the district.
- €10k to be expended on 2 no. mobile speed detector signs.
- €10k to be expended on smaller jobs such as pedestrian barriers, tree planting etc within the district.

All present supported the expenditure plan put forward by Mr. O'Shea and Cllr C Crowe thanked him and all the staff at the municipal district in completing the 2014 Roads Programme.

Cllr Ryan requested an update with regard to Woodcock Hill Road. Mr. O'Shea stated that there were patching works carried out on the road lately. He explained that after a further review of the road there appears to be rutting of the outer edge of the pavement. He informed Cllr Ryan that the road will be monitored between now and the next meeting to see if it is possible to raise up the road edge. Cllr Ryan was satisfied with this response.

Cllr Flynn requested an update on gullies and flash flooding around Shannon particularly at Bothar Mor and Drumgeely. Mr. O'Shea responded by stating that the road sweeper is extremely busy at the moment with the leaves from the fall and will deal with Bothar Mor and Drumgeely as soon as possible.

At this stage of the meeting Cllr Flynn suggested that the motions be dealt with as per the agenda and all agreed.

5. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr Gerard Flynn agus glacadh leis:

"I will ask Clare County Council to urgently repair the Carnakilla/Rathfolan, New Market On Fergus (Short Sweep) Road as it has deteriorated and the road itself is heavily used by pedestrians all year round."

Eugene O'Shea replied as follows;

This road, the L7106, is a heavily used pedestrian and leisure route in the Newmarket on Fergus area. The southern section of the L7106 has seen significant residential development in recent years and this together with watermain upgrade works some years ago has contributed to the deterioration in the pavement surface. Subject to available resources consideration will be given to including this road in the 2015 Roadworks programme.

Cllr McMahon commented that a lot of people use the route to cycle, run and walk 365 days of the year. He stated that the Council are aware of the situation and was hopeful repairs will be made where required in the not too distant future.

6. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

"I will ask Clare County Council to carry out traffic calming measure at the entrance to the tunnel underneath the dual carriageway at Clonmoney leading to and from the Wells National School due to increased traffic on the road."

Eugene O'Shea replied as follows;

Additional signage was installed on the L-3177 carriageway approaches at either side of the entrance to / exit from this underpass during 2013. I will however request the Road Design Office to undertake a traffic survey in order to determine current traffic volumes and speeds. The outcome of this survey will inform what, if any, traffic calming measures are warranted at this location.

Cllr McMahon stated that the location lends itself to speeding because it is a straight stretch of road. He commented that the real issue is the use of the road by school children coming to and from the school and their crossing of the road. He reiterated the health and safety issues involved and asked the Council to have a serious look at it. Cllr PJ Ryan supported Cllr McMahon and stated the nearby Church and Coop also add to the traffic volumes in the area.

7. Notice of Motion submitted by Cllr Pat McMahon

***Ar moladh Cllr P McMahon
Cuidithe ag Cllr G Flynn agus glacadh leis:***

"I will ask Clare County Council to repair the footpaths in Avondale Estate, New Market On Fergus."

Eugene O'Shea replied as follows;

There are a number of serious defects in the concrete footpaths in the Avondale Estate that are in need of repair. Subject to available resources and prioritising of works these repairs will be considered for inclusion in the works programme at the earliest opportunity.

Cllr McMahon was satisfied with the reply. Of the estate itself he commented that there are a number of elderly and retired members of the public presently living in the estate and any money that could be spent on the footpaths to bring them up to standard would be welcomed. Cllr Ryan in supporting the motion was hopeful something would be done as the matter was raised previously.

8. Notice of Motion submitted by Cllr Gerard Flynn

***Ar moladh Cllr Gerard Flynn
Cuidithe ag Cllr Pat McMahon agus glacadh leis:***

"That Clare County Council request IW to attend a special meeting of the Shannon Municipal ASAP to brief the members on their proposals to upgrade the Shannon Wastewater Treatment Plant and also explain their policy on measures concerning repairs to the public infrastructure (A) Wastewater (B) Storm drains (C) Public footpaths & roads access due to repairs or maintenance and explain the cost involved in using the so called low cost phone."

After a discussion on the above motion by all present it was agreed that a request be sent to IW asking them to attend a special meeting of the Shannon Municipal to address the issues raised.

9. Notice of Motion submitted by Cllr Gerard Flynn

Ar moladh Cllr Gerard Flynn

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That the Senior Engineer advise the Shannon Municipal District on the project concerning the removal or cutting back of trees that are (A) Dangerous (B) Restricting the effectiveness of Public Lighting.”

Eugene O’Shea replied as follows;

Trees are assessed following arboriculture guidelines that require detailed visual examination of the various parts including the crown, the trunk, the root system, etc. The position of the trees in relation to roadways, public footpaths and buildings is a significant factor also in terms of the safety of the public and property. If they become over-mature, depending on species, they may represent a serious liability and this is particularly true of poplar and horse chestnuts trees.

Trees are prioritised depending on condition and location e.g. if they are stand-alone trees near buildings with potential for storm damage should they be blown over. Trees in proximity to lamp standards can have considerable impact on the effectiveness of the public lighting. Subject to available resources every effort is made to minimise this impact through crown reductions but where this is not possible and, as a last resort, some trees may have to be removed.

Cllr Flynn was satisfied with the reply.

10. Notice of Motion submitted by Cllr Gerard Flynn

Ar moladh Cllr Gerard Flynn

Cuidithe ag Cllr Pat McMahon agus glacadh leis:

“That the Director of Service Ger Dollard provide a comprehensive report concerning taking in charge of a number of housing estates, namely Dun Aras, Cluain Aliainn , Radharc Na Coille and Cluainin in the Shannon Area. Some of the developers are no longer trading and residents cannot access services.”

Ger Dollard replied as follows;

Dun Aras/Cluain Alainn

This is a Fitzgibbon development but is not part of the receivership of the company. The Council hold bonds pertaining to this development and a claim was made on the bonds in May 2013.

Detailed assessment of Area Office on the development is required. On receipt of the schedule of works it will be sent to the bondholders to substantiate our claim on the bonds.

Cluainin

This is a Jim Woods Development which is being dealt with by his son Richard. The Planning Authority is currently trying to progress works on another development in their ownership and haven't had detailed engagement on this development with the Woods to date. We understand that the developer was working on site up to last year. Cluainin is on our Register of Estates and the Planning Authority is in the process of undertaking a costed analysis to substantiate a claim on the bond. The Council holds a bond in relation to this development. Enforcement may also be an option here.

Radharc na Coille

This is a Leo McNulty (Belvais Builders/Rinn Construction) Development. A claim was made on the bond in November 2013. A report is awaited from the Area Office on this development. Public lighting was recently cut off on this development. The Council has taken the public lighting onto its account on basis that the costs arising will be charged to the bond until such time as the development is taken in charge.

Cllr Flynn was satisfied with the reply.

11. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr John Crowe agus glacadh leis:

“That this Municipal Authority would carry out repairs to the footpath at Beechwood Grove, Sixmilebridge, Co.Clare.”

Eugene O’Shea replied as follows;

While there is some localised cracking and differential settlement between adjacent slabs, the concrete footpaths in the Beechwood Grove Estate are generally in reasonably good condition. Undoubtedly some of the defects noted are being caused by parking of residents’ and visitors’ vehicles on the footpaths. Subject to available resources and prioritising of works, repairs to the damaged sections will be considered for inclusion in the 2015 works programme.

Cllr Ryan was satisfied with the reply. Cllr J Crowe supported the motion and commented that it was one of the oldest estates in Sixmilebridge.

12. 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 carry out Drainage works at Gallows Hill Road, Cratloe adjacent to the Cherry and Ryan Households.”

Eugene O’Shea replied as follows;

It is intended to undertake works to improve the surface water drainage at this location at the earliest opportunity.

Cllr Ryan was satisfied with the favourable answer from the Senior Executive Engineer.

13. 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 provide Westbury, Shannonbanks and surrounding area with a Dedicated workcrew, Office and Material storage Facility.”

Eugene O’Shea replied as follows;

The new Shannon Municipal District includes the densely populated areas of South East Clare referred to at Shannon Banks, Westbury, Parteen, Blackwater, Ardnacrusha etc. These areas contain significant volumes of infrastructure including roads, footpaths, underground surface water drainage systems, surface water pumping systems, public lighting etc. that will require substantial levels of ongoing maintenance.

The Shannon MD currently has 2 No. Roads crews that operate throughout the district in various locations subject to availability and demand. While there is merit in this proposal it is impossible to have a crew dedicated solely to a specific part of the District given

- (a) the current and ever-increasing demand for our services throughout the District and
- (b) the outdoor staff resource levels currently available.

The Council Depot closest to this part of SE Clare is at Cratloe. While this depot is in need of capital investment it has ample facilities for material storage. Clare County Council office facilities are provided at the Westbury Shopping centre.

Cllr Ryan stated that as everyone is aware there are now new areas within the Shannon Municipal District as a result the local government reform. He felt that there are not enough staff to carry out works in the new geographical area. Cllr Ryan stated that he checked the current staffing arrangements with the HR Department Clare County Council. Having done so, in comparison to the other districts within the county, he pointed out that Shannon Municipal staffing levels are lower than the rest of the districts within county Clare. Having outlined the staff levels of the other districts Cllr Ryan said he sympathised with the Engineers and Supervisors of Shannon Municipal District and he felt staffing needed to be looked at and

prioritised. Cllr C Crowe stated that the district has one of the largest estates in Munster with over 1,000 houses and asked for the lifting of the embargo on front line staff as has occurred recently in other public bodies.

14. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr Gerard Flynn agus glacadh leis:

“That Clare County Council devise an effective short-term plan to deal with ongoing drainage and surface erosion problems on the L3506 - Quinpool Road (Parteen) and that this road be included in the 2015 Roadworks Programme.”

Eugene O’Shea replied as follows;

Recent drainage works have alleviated flooding issues at this location. However further works are necessary and co-operation of local property owners will be required if these necessary works are to proceed.

Cllr Cathal Crowe thanked Mr. O’Shea for the response and asked if the Senior Engineer could advance some negotiations with local property owners in order to see if something could be done to progress matters. Cllr Ryan stated he did not agree on placing too much importance on negotiating with the property owners in question.

15. 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 paint line markings and erect appropriate signage on all approaches to Brennan's Cross (Meelick) to deter speeding and give better definition to the junction head / turning points / right of way priorities.”

Eugene O’Shea replied as follows;

While current signage at this junction would appear to meet the required standards I will discuss with the Road Design Office what, if any, improvements can be made. A source of funding for any proposed improvements will have to be identified.

Cllr C Crowe welcomed the reply from Mr. O’Shea and suggested that continuous white lines and a better definition to the junction head might resolve the issue. He also stated that the new Northern Distributor road would add additional traffic to this route. Cllr Ryan agreed with the sentiments of Cllr C Crowe and stated there was some waste ground in the vicinity of the cross that could be tidied up.

16. 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 apply for an extension of the Smarter Travel Scheme which is currently in operation in the Corbally area of Limerick City, to encompass the communities of Parteen, Ardnacrusha, Westbury, Shannon Banks and Carraig Midhe.”

After a discussion on the matter by all present it was agreed that a request be sent to Limerick Smarter Travel requesting them to extend & include the above listed communities in the scheme.

At this point of the meeting the Caitheoirleach Cllr Crowe suspended the Standing Orders to allow for completion of business. All present agreed.

17. Notice of Motion submitted by Cllr John Crowe

Ar moladh Cllr John Crowe

Cuidithe ag Cllr Cathal Crowe agus glacadh leis:

“I am requesting that this Municipal District cut the hedges between Hurley’s House Reaskcamoge, Sixmilebridge and Brennan’s Cross.”

Eugene O’Shea replied as follows;

Under Section 70 of the Roads Act 1993 landowners are responsible for trees, hedgerows etc. on or inside their boundaries adjacent to public roads. The Act obliges landowners and occupiers to take all reasonable care to ensure that such trees, hedges and other vegetation are not or could not become a danger to people using or working on a public road.

Hedgecutting on local roads is being carried out at various locations throughout the county by the landowners who have responsibility for same. There is a need for a culture change to reflect legal and moral responsibility and to reflect the fact that public resources are no longer available to the extent that they have been in the past. Any assistance that Councillors can give in influencing this required culture change would be hugely beneficial and would, to a significant degree, negate the need for the Council to pursue landowners through legal channels – such an approach is best avoided if possible.

Cllr J Crowe stated that he was disappointed with the reply and that the issue was being given back to the landlord to resolve. Cllr C Crowe asked that Mr. O’Shea write to the landowners in order to try and resolve the issue and to look into whether there are any public health and safety issues arising as a result of the ditches not being maintained by the landowners.

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“I am requesting that this Municipal District switch on and repair where necessary lights in Woodview Heights, Sixmilebridge for safety reasons as we are coming into the Winter months.”

Eugene O’Shea replied as follows;

This estate has not been taken in charge therefore the council has no responsibility in this matter. There are also issues within this development in relation to the public sewers some of which are within private property.

Cllr J Crowe stated that three no. lights were not working at the back of the Health Centre and said the bulbs needed to be replaced for safety reasons. Cllr Ryan said that both he and Cllr J Crowe had highlighted the issue previously. All present supported the motion.

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

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“I am requesting that this Municipal District take a look at the drainage in Beechwood Grove, Sixmilebridge with a view to clearing or repairing them. At times of high rainfall there is a lot of surface water around the estate that is becoming hazardous and not draining away.”

Eugene O’Shea replied as follows;

This drainage issue will be monitored over the coming months with a view to finding a long-term solution. Any necessary maintenance issues will be addressed as required.

Cllr J Crowe was satisfied with the reply given. He hoped the works could proceed and suggested it probably needs a new drain and pipe as the current infrastructure may not have the capacity to deal with the water.

20. *AOB*

Cllr C Crowe referred to an email received on ‘The Shannon Venue’ project and to the funding allocation of €15k by Shannon Town Council. The Shannon Venue project had requested payment. On the basis that the project was progressing to planning application stage, N Barrett stated that release of the funding appeared to be in order. This was proposed by Cllr Flynn, seconded by Cllr Ryan and agreed. Cllr C Crowe informed the meeting that Cllr M McKee had

asked that an update be given by the Shannon Venue Ltd to the members on the progress of the project to date.

Date of Next Meeting

As there is no meeting before Christmas break up Cllr C Crowe took the opportunity to wish everyone a safe Christmas and New Year for 2015. It was noted that the next meeting of the Shannon Municipal District will be Tuesday 20th January, 2014.

This concluded the business of the meeting.

Signed:

Cllr Cathal Crowe
Cathaoirleach

Signed:

Pádraig Malone
A/Meeting Administrator

Date:
