

**Minutes of the Shannon Municipal District meeting held on Tuesday ,
20th January 2015 at 9:45 am at the Offices of the Municipal
District, Town Hall, Shannon, Co. Clare.**

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

Mr Niall Barrett, Area Co Ordinator, Mr Eugene O' Shea Senior Executive Engineer, Fiona Mooney, Meetings Administrator & Pádraig Malone, Staff Officer.

1. *Minutes of Meeting held on November 2014*

The minutes of the meeting of 18th November 2014 were proposed by Cllr Ryan, seconded by Cllr Flynn and agreed. It was confirmed that Irish Water had been written to on 31/12/14. No reply had yet been received. The meetings administrator was asked to write again. Cllr Flynn asked for an update on the €50k allocated last year. The senior executive engineer confirmed that the welcome funds had allowed extensive footpath works to be carried out in Newmarket On Fergus, Sixmilebridge and Shannon and that speed detection signs were to be installed in the next few weeks starting in Cratloe.

2. *Disposal of land at Ballycasey Grove, Shannon Co. Clare*

After discussion, it was agreed to request this item to be on the next agenda, when other information relevant to the proposed disposal would be made available.

3. *Roads Programme*

The senior executive engineer briefed the meeting that the allocation for 2015 is awaited. He indicated that there had been some preliminary investigations carried out on candidate roads for surface dressing, restoration, maintenance and drainage. In response to members' queries, it was confirmed that:

a proposal in relation to the issues raised regarding Cratloe had been submitted by the road design office to the NRA under its Low Cost Safety Improvement Scheme;

blocked gullies around Shannon would be attended to before the end of the week;

the Council, on behalf of IW, are carrying out further exploratory work in the vicinity of the flooded footpath at Cluain Aoibheann, in an area which had had no history of flooding before September 2014;

the velocity patcher would be discussed with the senior engineer.

4. *General Municipal Allocation*

N Barrett confirmed that a further €50k had been approved for Shannon municipal district at the January Council meeting, additional to the €44,200 already available, and that it was up to the municipal district members to consider the funds of €94,200 and allocate them as

they see fit. After a comprehensive discussion, it was proposed by Cllr Flynn to allocate €50k to community & voluntary groups via an application process based on criteria to be agreed that would be advertised for the municipal district, €20k to the senior executive engineer's work programme, €20k to a contingency fund and €4k to the acquisition of a chain of office. This was seconded by Cllr McKee and agreed.

5. *Circular LG27/2014 SMDW*

The above circular letter was noted for information.

At this point of the meeting the Cathéoirleach Cllr Crowe suspended the standing orders to allow for completion of business. All present agreed.

6. *Notice of Motion submitted by Cllr Pat McMahon*

Ar moladh Cllr P McMahon

Cuidithe ag Cllr J Crowe agus glacadh leis:

"I ask that Clare County Council as a matter of great urgency provide speed ramps on the Ennis Road New Market On Fergus heading towards the Crèche due to the amount of accidents that have occurred there".

Eugene O'Shea replied as follows:

A traffic survey, undertaken in 2013 following a motion at a previous electoral area meeting, revealed average traffic speeds on this cul de sac of 23 km per hour with the 85th percentile speed at 30km per hour. This survey indicates that speeding is not an issue on this road.

However government policy in relation to the control of speeds in housing estates regards the increased use of 30 km/h speed limits as a means of improving safety for the most vulnerable road users. This cul de sac road will be considered for inclusion by the council in the compilation of estates that would benefit from this new policy.

Cllr McMahon expressed his satisfaction with the reply given and stated that any reduction in the speed limit would greatly assist in reducing the risk of road accidents in the area.

7. *Notice of Motion submitted by Cllr Pat McMahon*

Ar moladh Cllr P McMahon

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

"I ask that Clare County Council provide speed ramps in the vicinity of the Wells School, New Market On Fergus due to the excessive speed of some motorists and the great danger it creates".

Eugene O'Shea replied as follows:

A Traffic Survey was recently undertaken on this stretch of the L3177 local road between Clonmoney National School and the pedestrian underpass at Hurlers Cross where the posted Speed Limit is 80 kph. This survey indicated that the average vehicle speeds were 64 kph with an 85th percentile speed of 77 kph. Roads of this nature outside of towns and villages and without the benefit of public lighting are not suitable for the installation of speed ramps. There are flashing school signs and recently painted road markings on both approaches to the school. If there are on-going concerns regarding speeding by a minority of motorists then this may be an enforcement issue for the Gardai.

Cllr McMahon commented that the route lends itself to heavy usage because of its close proximity to the church, school and co-op store. He stated it would make a significant contribution to road safety if the speed limit could be reduced to 30/40 kph.

8. Notice of Motion submitted by Cllr Pat McMahon

***Ar moladh Cllr P McMahon
Cuidithe ag Cllr PJ Ryan agus glacadh leis:***

"I ask that Clare County Council realine the car parking in front of the Wells Church Clonmoney due to the dangerous parking of cars at certain times in the general area of the Wells School".

Eugene O'Shea replied as follows:

Arrangements will be made to monitor traffic movements at this location in the short to medium term with a view to determining what, if any, improvements to the existing parking arrangements can be made. Ultimately however this is an issue for the school, it's Board of Management and the parents to resolve.

Cllr McMahon stated that the area in question was subject to high traffic during church times and that some members of the public abandon cars and park in a dangerous fashion.

9. Notice of Motion submitted by Cllr Cathal Crowe

***Ar moladh Cllr C Crowe
Cuidithe ag Cllr PJ Ryan agus glacadh leis:***

"That Clare County Council include the Cappanteemore / Glenagross Road (Brennan's Cross to Windy Gap) in the 2015 Roadworks Programme."

Eugene O'Shea replied as follows:

This local primary road, the L3032, is approximately 4.5 km in length and rises rapidly from Brennan's Cross to the Windy Gap with an average gradient of approx 4.5%. There are a number of sections in need of pavement improvement works principally due to drainage

deficiencies. Subject to prioritisation of works, this road will be considered for inclusion in the 2015 Roadworks Scheme.

Cllr C Crowe stated he hoped the motion would be accommodated in the road works programme and acknowledged that the residents had an important role to play.

10. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr C Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That Clare County Council install street lights between Parteen Church and the bend below Parteen National School.”

I wish to reply as follows:

Airtricity Utility Solutions will be requested to inspect this location and to provide a quotation for the installation of street lights. However a source of funding will have to be identified in order for these works to proceed.

Cllr C Crowe hoped the works could proceed quickly in order to fill the gap in the street lighting.

It was agreed to take Notice of Motions 11 and 17 together.

11. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr C Crowe

Cuidithe ag Cllr G Flynn agus glacadh leis:

“With Phase 1 of the Limerick Northern Distributor Road (Knockalisheen, Meelick to Coonagh) likely to commence construction in 2015, I propose that Clare County Council plan for a series of road improvements and junction upgrades in the Meelick area in the 2015 Roadworks Programme. Extensive works are required so that the existing local roads network in Meelick can cope with increased traffic which will soon travel to / from the new dual-carriageway.”

Eugene O’Shea replied as follows:

There is no evidence that this scheme when completed will impact negatively on the local road network in Meelick. It is likely that the greatest impact will be from construction traffic during the course of the project and this impact will largely depend on the source of materials to be used by the successful contractor. A baseline study of the condition of the local road network will be required prior to commencement on site and the condition of the local road network will be monitored during the course of construction.

It is anticipated that, as has occurred with other roads schemes, a Residual fund will be made available to deal with any roads issues or impacts arising from this scheme when completed. Road improvement works in the Meelick area will also be considered for inclusion in the 2015 Roadworks Programme.

Cllr C Crowe stated that the roads around the Meelick area would become increasingly slow and that there would be traffic coming off the dual carriageway into Meelick and suggested that the Department of Defence be contacted in order to acquire a strip of land for future road widening.

17. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That this Municipal Authority would carry out repairs to the Knockalisheen/Windy Gap Road including Remarking /Traffic Calming strips at Brennan's Cross Meelick.”

Eugene O’Shea replied as follows:

This local primary road, the L3032, is approximately 4.5 km in length and rises rapidly from Brennans Cross to the Windy Gap with an average gradient of approx 4.5%. There are a number of sections in need of pavement improvement works principally arising from drainage deficiencies. Subject to prioritisation of works this road will be considered for inclusion in the 2015 Roadworks Programme. The road markings at Brennan’s Cross will be renewed at the earliest opportunity.

Cllr Ryan hoped they could be included in the programme. Cllr C Crowe in supporting the motion suggested continuous white lines on the approach roads with more signage as a possible traffic calming measure.

12. Notice of Motion submitted by Cllr Gerry Flynn

Ar moladh Cllr G Flynn

Cuidithe ag Cllr M McKee agus glacadh leis:

“That the EPA be requested to provide a report concerning complaints made in relation to problems experienced by the public from odours emanating through the waste water collection network in Smithstown and East Park Industrial area in Shannon, and also advise about issues around pump station 12 and Shannon’s treatment plant.”

13. Notice of Motion submitted by Cllr Gerry Flynn

Ar moladh Cllr G Flynn

Cuidithe ag Cllr M McKee agus glacadh leis:

“That Clare County Council in the interest of health and safety, repair or replace the black top tarmacadam footpath to the rear of house nos. 1 to 87 Corrib Drive. This footpath provides a vital link for local people accessing the church and other public areas.”

Eugene O’Shea replied as follows:

The macadam footpaths referred to at the rear of the houses on Corrib Drive are little-used footpaths that have deteriorated over the years through aging and insufficient maintenance. They will be considered for inclusion in the current years works programme subject to prioritisation of works and available resources.

Cllr Flynn commented that members of the public are anxious for the work to be done on the footpaths as they cannot use them in their current state.

14. Notice of Motion submitted by Cllr Gerry Flynn

Ar moladh Cllr G Flynn

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That Clare County Council housing section provide a report concerning repairs to their housing stock:

- a. Does the Council have any plans to upgrade houses for long term tenants;*
- b. Does the Council impose penalties on contractors who do not adhere to deadlines on finishing work;*
- c. Who signs off on houses ready for occupation in order to assess condition of house prior to letting.”*

Robert Burns replied as follows:

- a. Does the Council have any plans to upgrade houses for long term tenants;*

Clare County Council Housing Services, through Housing Maintenance, have responsibility for the ongoing maintenance, repair and refurbishment of the Council’s stock of 2256 housing units, in addition to the 59 units related to traveller accommodation (figures correct as of 15th January 2015). In the Council’s Housing Maintenance budget for 2015, €820,000 has been provided for the maintenance of the Council’s stock of social housing, and it is from this budget that the core maintenance activities must be financed. Funding is received from the Department of Environment, Community and Local Government (DECLG) for the refurbishment of housing stock that becomes vacant, but this funding does not extend to existing, occupied housing. The Council is awaiting information from the Department with regard to funding and the specific allocation for Clare County Council for 2015 under the new Social Housing Strategy 2020. While the Strategy is primarily focused on new housing provision through new build, acquisition and leasing, there may be funding streams related to planned maintenance and upgrade of existing, occupied Council housing. If such funding becomes available, the Council will put forward proposals for housing upgrade projects

based on factors such as age of property, structural condition, energy efficiency, etc. of the existing housing stock.

Leaving aside the Social Housing Strategy 2020, significant investment and planned maintenance works have been carried out on the Council's housing stock in recent years, including 2014, under 3 primary headings: the Energy Efficiency Programme; the Remedial Works Schemes; and the Adaptations for People with a Disability Schemes. These schemes are funded by the DECLG. A summary of the works carried out under each scheme is shown below. All the indications are that these schemes will proceed in 2015, but the exact scope or level of funding that will be available is not known at this stage.

Energy Efficiency Programme

Investment under the Energy Efficiency Programme continued in 2014. Works were progressed on an estate-wide basis with the target of achieving a comfortable living standard for all local authority households. Works were carried out to a total of 336 houses which included cavity wall insulation, attic insulation and insulation of primary pipe work along with ventilation works. The Council also succeeded in securing the services of Kingspan Energy along with funding from the SEAI through their Better Energy Warmer Homes Scheme to carry out work on a further 166 houses during the year bringing the total number of upgrades to 502. It is expected that further funding will be made available in 2015 to continue with Phase 2 of this programme. Attention will focus on the fabric upgrade works to those remaining dwellings with solid/hollow block wall construction. Also, in situations where dwellings have poor performing single glazed windows or defective doors, funding may be made available.

Remedial Works Scheme(RWS)/Regeneration Scheme

The Department provided funding in 2014 for the completion of an existing scheme in progress namely the completion of Phase 3 of John Paul Estate in Kilrush. These works together with the works carried out under Phase 1 & 2 have made a significant improvement in the Council's housing stock in Kilrush and have resulted in over 25 additional family units being accommodated in the estate. The Council has to await the announcement of further funding under this heading in 2015 before embarking on further schemes.

Adaptations to Council-owned Dwellings for People with Disabilities

The Council are currently carrying out adaptation works to Council-owned dwellings to facilitate tenants with disabilities. Works such as bathroom modifications, provision of ramps and handrails, upgrade of heating systems, and provision of stairlifts was undertaken to 27 Council houses in 2014 and this work will continue in 2015 subject to funding becoming available.

- b. Does the Council impose penalties on contractors who do not adhere to deadlines on finishing work;*

The Council generally has not experienced difficulties with undue delays with its housing maintenance contractors. If there are undue delays, or other issues such as with standards

of work, there are provisions in the procurement framework and contracts to sanction contractors, up to and including termination of the contract and disqualification from future requests for tender.

- c. *Who signs off on houses ready for occupation in order to assess condition of house prior to letting.”*

The Housing Maintenance section has a rigorous system in place for assessment of works needed when a house becomes vacant, prior to re-allocation of that house to another Council tenant. This assessment is carried out by the Clerk of Works for the particular area, in conjunction with the technical staff in Housing Maintenance. The works are supervised by Housing Maintenance technical staff during construction, primarily the Clerk of Works for the particular area, ensuring that all work and any outstanding items (often referred to as ‘snags’) are addressed before a new tenant occupies the house. Ultimately, it is the Clerk of Works for the area and the person in the role of Senior Executive Engineer for Housing Maintenance that makes the assessment that works have been satisfactorily completed and that the house is ready to be occupied. On rare and challenging occasions, where there is an acute need to house a prospective tenant, such as when that prospective tenant is at risk of becoming homeless, a pragmatic approach may be taken to allow the tenant to occupy the property once works have been substantially completed, on the basis that the works will be fully completed by the Council’s assigned contractor(s) in as short a timeframe as possible.

Cllr Flynn was satisfied with the comprehensive reply.

15. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That this Municipal Authority would redefine parking area and provide two spaces for the disabled in the lower square car park Sixmilebridge.”

Eugene O’Shea replied as follows:

This parking area will be inspected in order to determine the feasibility and implications of providing for disabled parking spaces as requested. Given the small number of spaces currently available it may not be feasible to provide two spaces, however this will be determined following a detailed inspection.

Cllr Ryan commented on the very busy area and that even one disabled space would take some pressure off. He felt that a long term solution to the problem was needed. Cllr J Crowe stated that approximately 12 businesses using 16 car parking spaces was untenable.

16. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr J Crowe agus glacadh leis:

“That this Municipal Authority would carry out repairs to drainage on the R462 road between Cratloe Cross and O’Donoghues Bridge.”

Eugene O’Shea replied as follows:

Necessary drainage maintenance works on the R462 at this location will be undertaken at the earliest opportunity.

18. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M Mckee

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That Shannon Municipal District, request the County Council, when funding becomes available, to extend car parking to the fronts of no.s 46 to 50 Cill Chais and no.s 21 to 26 Cluain Airne.”

Eugene O Shea replies as follows:

There is provision for car parking at both of these locations albeit not directly in front of the houses themselves. If and when funding becomes available consideration can be given to extending the car parking to the fronts of the houses however it is likely that the costs involved would be excessive.

Cllr McKee acknowledged that the costs would be significant and suggested squaring off and line marking parts of the rounded area might help to alleviate the issue.

19. Notice of Motion submitted by Cllr Mike McKee

Ar moladh Cllr M McKee

Cuidithe ag Cllr G Flynn agus glacadh leis:

“That Shannon Municipal District request speed ramps to be installed at Carrig Hill and the road between Finian and Aidan Park.”

Eugene O Shea replied as follows:

A traffic survey is required to determine traffic volumes and speeds at both of these locations and the Road Design Office will be requested to undertake this survey at the earliest possible opportunity. Government policy in relation to the control of speeds in housing estates regards the increased use of 30 km / h speed limits as a means of improving safety for the most vulnerable road users. Both of these locations will be considered for

inclusion by the council in the compilation of estates that would benefit from this new policy.

Cllr McKee stated that he was aware of some near misses and witnessed vehicles ignoring the school traffic warden signs. He suggested some lighting around the traffic warden crossing would reduce the risk of an accident and that more signage on approach roads would help matters.

20. *Notice of Motion submitted by Cllr Mike McKee*

Ar moladh Cllr M McKee

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That Shannon Municipal District ask Clare County Council to explain how they determine when is a housing estate classified as an 'unfinished estate' in relation to the LPT.”

Bernadette Haugh replied as follows:

Residential Properties that have been included in a list of unfinished housing estates published by the Department of the Environment Community and Local Government are exempt from local property tax. The exemption applies to the developments listed in the schedule to the Finance (Local Property Tax) Regulations 2013 (S.I. 91 of 2013). The list was developed primarily on the basis of the 2012 Housing Development Survey just as the list of estates eligible for the waiver from the Household Charge was compiled using the results of the 2011 National Housing Development Survey and was co-ordinated by the DoECLG in conjunction with the Housing Agency.

The 2012 Survey was compiled using the categorisation of “seriously problematic condition” on the basis of a nationally consistent set of criteria. Issues to be considered in the assessment of “seriously problematic condition”, include assessing whether essential public infrastructure and amenity standards have been met e.g.

- Installation and commissioning of public lighting (subsequent maintenance issues such as individual lamp standards etc. not working should be discounted)
- Provision of potable water supply
- Provision of wastewater collection, treatment and disposal systems (if provided on a stand-alone basis to serve the particular UHD) sufficient to ensure that, in the opinion of the local authority, no pollution of public health issues are arising
- Access road to at least base course level, including, where required, provision for parking
- Provision of access to the dwelling by a constructed footpath
- Provision of open space capable of serving the amenity needs of permitted dwellings, being suitable for access and use by members of the public (deficiencies in the landscaping (e.g. tree planting) of public open space or similar would not render a development to be in a seriously problematic condition)

Clare Co. Council understands that the DoECLG does not intend to revise the current exemption list during the first Local Property Tax valuation period of 1st May 2013 to 31st October 2016.

Cllr M McKee, commenting on the reply, stated that Lios Anama, Sixmilebridge is an example of an estate that is unfinished and not on any list and said it should be treated as unfinished. He passed around pictures of parts of the estate. Cllr C Crowe commented that there were also other estates within the district similarly unfinished.

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

Ar moladh Cllr J Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That the Shannon Municipal District resurface and reline the car park at the back of Sixmilebridge Catholic Church.”

Eugene O’Shea replied as follows:

The surface of this car park area is currently in a poor state of repair and subject to availability of resources and prioritisation of works it will be considered for inclusion in the 2015 Roadworks Programme.

Cllr J Crowe stated that any help would be welcomed. He commented that there are large volumes of traffic using the car park while attending various services at mass and it also serves as an overflow car park in the area.

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

Ar moladh Cllr J Crowe

Cuidithe ag Cllr C Crowe agus glacadh leis:

“That the Shannon Municipal District repair the L3056 stretch of road. It is in a deplorable state and drains and potholes need to be filled immediately. This is in Quinn pool area Parteen.”

Eugene O Shea replied as follows:

Sections of this road are currently in a very poor state of repair and subject to prioritisation of works it will be considered for inclusion in the 2015 Roadworks Programme. Co-operation of local landowners will be necessary in order for these works to proceed.

Cllr Crowe welcomed the reply and has witnessed the current state of the road.

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

Ar moladh Cllr J Crowe
Cuidithe ag Cllr C Crowe agus glacadh leis:

“That the Shannon Municipal District repair lights at the Athlunkard bridge heading for Shannon banks. There are a row of lights that have been out of order for a long time and I am requesting that these be fixed immediately.”

Eugene O Shea replied as follows:

A number of street lights have been out of order for some time on the Clare side of Athlunkard Bridge and Clare County Council has been liaising with Airtricity in order to progress a solution as a matter of urgency. It is likely that a number of older lamp standards will have to be replaced and, subject to available resources, the necessary works will be undertaken at the earliest opportunity.

Having visited the particular area recently Cllr J Crowe stated that the area in question was dark and needed new lights. Cllr C Crowe commented that he hoped the repairs would be done by the end of January all going well.

24. Correspondence

The letter from the Gardaí was welcomed by all and Cllr Ryan stated he has a meeting with the Joint Policing Committee next week and confirmed it is on the agenda for discussion.

25. AOB

It was agreed to arrange a meeting within the Council regarding Kilquane Graveyard.

Cllr J Crowe reminded everyone of the upcoming Mayor’s Ball on the 28th and all agreed it was for a worthy cause.

Cllr G Flynn proposed Cllr McMahon to represent the Council on the travel delegation to China later this year. It was seconded by Cllr J Crowe and agreed in general. Cllr McKee expressed his reservations about the planned visit.

Signed: _____
Cllr Cathal Crowe
Cathaoirleach

Signed: _____
Fiona Mooney
Meeting Administrator

Date: _____