

**Minutes of the Shannon Municipal District Meeting held on Thursday
23rd March 2017 at 9.45am at the offices of the Municipal District, Town
Hall, Shannon, Co. Clare**

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

Liam Conneally Director of Service, Eugene O'Shea Senior Executive Engineer, Deirdre Ryan Meetings Administrator.

Apologies: Councillor Mike McKee.

Cllr. J Crowe requested an adjournment of the meeting for a period of fifteen minutes as a mark of respect on the recent passing of Sean Ward Senior Engineer. This was proposed by Cllr. G Flynn and seconded by Cllr. C Crowe. Condolences were extended to Sean's family and his large circle of friends both within Clare County Council and the wider community.

1. Minutes of meeting of Shannon Municipal District held on 10th January 2017

Cllr. G Flynn drew attention to item No. 17 of the January Minutes whereby he requested a meeting with the OPW, Shannon Airport Authority, Council Executive and SMD Members to discuss Shannon River Embankments. Tom Tiernan Senior Engineer and Liam Conneally confirmed that a meeting had taken place on 10th March 2017 with representatives from the OPW, Shannon Airport Authority, Dept. of Transport & Clare County Council Executive to discuss the integrity of the embankments that protect the Town of Shannon and the Airport. It was acknowledged that the embankments are the single point of defence for all of Shannon. The purpose of this meeting was to determine a holistic single entity approach in the assessment of the defences, work to be carried out and costs involved.

The Members requested that the Cathaoirleach of Shannon Municipal District attend any future engagements.

The minutes of the meeting held on 10th January 2017 were then proposed by Cllr G Flynn, seconded by Cllr PJ Ryan and agreed by all.

2. Meeting with Irish Water

The members expressed continued dissatisfaction with Irish Water's non attendance at a statutory meeting of the SMD and the approach to communication with elected members. Cllr PJ Ryan proposed and Cllr G Flynn seconded that this item remain on the agenda and that we continue to invite them to attend.

3. Moneen and Kilquane Burial Grounds

Cllr. J Crowe welcomed Leonard Cleary Director of Service Rural Development. Leonard Cleary advised negotiations are continuing with the land owners at Moneen and Kilquane and acknowledged the contribution made by Betty Devanney Administrative Officer in this regard. He hoped to be in a better position to brief the Members at the May meeting of SMD. Cllr C Crowe proposed and Cllr J Crowe seconded that this item remain on the agenda.

4. Hinterland Funding – Playground Locations for Westbury and Meelick

Cllr. J Crowe welcomed Deirdre O'Shea Administrative Officer Rural Development and Leonard Cleary. Deirdre O'Shea gave a general overview of the proposed locations for the playground at Westbury and Meelick, circulating a detailed document at the meeting. She acknowledged the huge contribution made by Aidan O'Rourke Executive Engineer Shannon MD.

There has been resistance to a number of sites due to potential anti-social behaviour. Cllr. C Crowe wants it on record that there is a real risk that we will not be in a position to deliver the playgrounds due to difficulty in sourcing a suitable location. The Members agreed that future management of Playgrounds is also a concern.

The Members requested Simon Coveney T.D. is written to seeking a deferral on funding drawdown.

5. Update of Shannon Projects - Presentation by Brian McCarthy

Cllr J Crowe welcomed Brian McCarthy Senior Planner. Brain McCarthy proceeded to give an update on Shannon Town Park Project. The Part VIII will go before the full Council in April. The Members agreed that anti-social behaviour is a concern and recommended the Gardai be involved in the roll-out of the Project.

Sli na Mara (Boreen) under the Town & Village Renewal Scheme – will involve public lighting, enhanced walkway and hedging. Duchas na Sionna are also being consulted. Works on this project are due to commence in June 2017.

The Green Corridor at the side of St. Patricks Comprehensive School will link the Town Park to the Shannon Estuary. The works will involve enhanced walk-way, public lighting and Clare Garden Festival's Show Garden will be relocated to this location in early May 2017. There is no Part VIII planning requirement for the project.

Estuary Walks under the Recreation Funding Scheme will see the upgrading of the footpath and creation of cycle lanes and seating area. Part VIII planning will be required for this project.

Brian McCarthy will meet with the Members again for another briefing.

The Cathaoirleach suspended Standing Orders at 11.30am in order to progress with the agenda. This was proposed by Cllr. G Flynn and seconded by Cllr. PJ Ryan and agreed the meeting would conclude at 12.30pm.

6. Proposed Disposal of lands at Moyhill, Cratloe

The proposed disposal of land at Moyhill, Cratloe was proposed by Cllr. PJ Ryan and seconded by Cllr J Crowe. Cllr. PJ Ryan proposed and Cllr. Pat McMahon seconded that the legal fees be waived in this instance.

7. Proposed Disposal of lands at Lemenagh More, Newmarket on Fergus

The proposed disposal of land at Lemenagh More, Newmarket on Fergus was proposed by Cllr. Pat McMahon and seconded by Cllr J Crowe. Cllr. PJ Ryan proposed and Cllr. Pat McMahon seconded that the legal fees be waived in this instance.

8. Proposed Declaration of Public Roads – Pairc an Fhia, Deerpark, Bunratty

The declaration of public roads at Pairc an Fhia, Deerpark, Bunratty was proposed by Cllr. PJ Ryan and seconded by Cllr. J Crowe and agreed by all.

9. Draft Schedule of Municipal District Works 2017

A presentation was made by Tom Tiernan Senior Engineer with regard to the Draft Schedule of Municipal District Works (SMDW) 2017 having circulated the detailed document to the Members. He advised that funding was limited again this year and this was unlikely to change until at least 2018. He also advised of the requirement under EU Directives to reduce Public Service Carbon Footprint by 33% by 2020, when compared with the base year of 2009.

Liam Conneally gave a presentation with regard to Housing Draft SMDW 2017 drawing particular reference to a proposed new planned maintenance programme, the first part of the programme involving the completion of a condition survey of the Council's entire social housing stock which will determine not only the condition but planned maintenance priorities and a future cost plan for the programme.

The members thanked Tom and Liam for their presentations. The adoption of the proposed Draft Schedule of Municipal District Works 2017 was proposed by Cllr. C Crowe and seconded by Cllr. G Flynn and agreed.

10. Speed Limit Review – Presentation by Tom Tiernan

Tom Tiernan circulated a detailed document of the Schedule of Proposed Changes and a copy of the Draft Bye Laws with the proposed changes highlighted in yellow. This review commenced in July 2015 when all Elected Members, Area Engineers, Council's Road Design Dept., TII, An Garda Siochana, AA Ireland and all adjoining Local Authorities were all notified of the Council's intention to commence a review of Speed Limit Bye-Laws, inviting submissions. This was then followed by a formal public consultation stage.

All of the submissions were assessed by the Council in consultation with An Garda Síochana and the conclusions reached formed the basis for the Final Draft.

Cllr. C Crowe proposed and Cllr. J Crowe seconded the adoption of the Draft Speed Limit Review and Draft Bye Laws, subject to an addendum being included requesting a number of variations to the Speed Limit Document that was presented. Tom Tiernan advised that he would take note of the requested variations and include them in the final draft to go before the full Council for adoption.

11. Road Works Programme

The Road Works Programme was detailed by Tom Tiernan during his briefing on the Draft Schedule of Municipal District Works. (Item No. 9)

12; 13 & 14 Notice of Motion submitted by Cllr M. McKee

Cllr. J Crowe advised the meeting that Cllr. M McKee requested his March Notice of Motions be deferred to the May Meeting when he will be in attendance.

15. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr John Crowe agus glacadh leis:

“That this MD would erect a concealed road sign and traffic calming strips at Poulawilly Bridge Cratloe on the R462.”

Eugene O’Shea replied as follows:

The installation of appropriate signing and lining as per the Traffic Signs Manual will be considered on the Sixmilebridge approach to the junction of the R462 and L3036 at Poulawilly Bridge subject to availability of resources.

At this stage in the meeting Cllr. C Crowe proposed that there be only one speaker per Notice of Motion due to time constraints. This was seconded by Cllr. J Crowe.

16. Notice of Motion submitted by Cllr PJ Ryan

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr Cathal Crowe agus glacadh leis:

“That this MD would convert beacon pedestrian crossing lights to pedestrian operated lights on the R463 Ardnacrusha Road close to Barry's Cross and also install traffic calming strips at same location.”

Eugene O’Shea replied as follows:

The current controlled crossing at this location has been in place for a number of years and appears to be operating satisfactorily. Any change to a controlled signalised crossing would come at significant cost and would have to be justified on the basis of increased traffic speeds and volumes, increased pedestrian movements, accident history, reported near-miss incidents etc. Traffic / pedestrian counts and speed surveys will be undertaken at

the earliest opportunity in order to ascertain whether the current crossing facilities should be reviewed.

Note that all road markings associated with this crossing were renewed recently.

17. Notice of Motion submitted by Cllr PJ Ryan.

Ar moladh Cllr PJ Ryan

Cuidithe ag Cllr Pat McMahon agus glacadh leis:

“That this MD would convert beacon pedestrian crossing lights to pedestrian operated lights at the entrance to Bunratty Folk Park and also install traffic calming strips at same location.”

Eugene O’Shea replied as follows:

The current controlled crossing at this location has been in place for a number of years and appears to be operating satisfactorily. Any change to a controlled signalised crossing would come at significant cost and would have to be justified on the basis of increased traffic speeds and volumes, increased pedestrian movements, accident history, reported near-miss incidents etc. Traffic / pedestrian counts and speed surveys will be undertaken at the earliest opportunity in order to ascertain whether the current crossing facilities should be reviewed.

Note that the road was re-surfaced at this crossing in 2016 and all associated road markings renewed.

18. Notice of Motion submitted by Cllr Gerard Flynn.

Ar moladh Cllr Gerard Flynn

Cuidithe ag Cllr John Crowe agus glacadh leis:

“That in view of the recent closure of the public right of way from Tullyglass Hill to Tullyglass Crescent due to increased anti social behaviour, that Clare County Council in the interest of connectivity to schools and services on the Gort Road and the river walking route, improve the existing footpath on the green area running from Tullyglass Hill adjacent to Conways wood.”

Eugene O’Shea replied as follows:

The existing pathways at this location provide an alternative route to the recently-closed public right of way and their improvement will be considered in the context of the available funding in the 2017 programme of works subject to available resources and to prioritisation of works.

19. Notice of Motion submitted by Cllr Gerard Flynn

Ar moladh Cllr Gerard Flynn

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That Clare County Council provide up to date information concerning progress on the taking in charge of: Dun Aras, Cluain Alainn, Radharc Na Coille, Dun Na Ri, Cluainin and Rosan Bunraite. (time scale, bonds drawn down, estimated completion date for each estate and obligations on residents).”

Helen Quinn, Senior Executive Planner replied as follows:

Dun Aras, Cluain Alainn: *Following a claim on the bonds in relation to these developments in May 2013 the Planning Authority had been dealing with agents appointed by the bondholders who during 2016 advised that a new agent would be dealing with these developments. The Agent was then provided with the requested information and preliminary schedule of works by the Planning Authority. A meeting had been scheduled to take place with the Agent in February 2017 however this has been rescheduled for March 2017. Clare County Council has accepted responsibility for the supply & maintenance of the public lighting in this development.*

Radharc na Coille: *Following a claim on the bond in relation to this development in November 2013 the Planning Authority has been liaising with the bondholders and has agreed a Scope of Works required to be carried out by them. Works are to be progressed by the bondholders during 2017 and may be finished by the summer of 2017. On completion of the agreed scope of works it is the intention of the Planning Authority to commence the Statutory Process in relation to the taking in charge of this development. Clare County Council has accepted responsibility for the supply & maintenance of the public lighting in this development.*

Dun na Ri: *A claim was made on the bond in relation to this development in November 2013 and the Planning Authority is liaising with Engineers appointed by the bondholders and in January 2017 agreed priority works to be carried out in this development to the value of the bond €24k, which they intend to do. On completion of these priority works it is intended to take the development in charge. Clare County Council has accepted responsibility for the supply & maintenance of the public lighting in this development.*

Cluainin: *A claim was made on the bond in relation to this development in January 2016. Following negotiations with the bondholders a Scope of Works required to be carried out within this development was agreed with the bondholders. Works are currently being progressed on behalf of the bondholders and hope to be finished before the summer of 2017. On completion of the agreed scope of works it is intended to take the development in charge.*

Rosan Bunraite: *A claim was made on the bond in relation to this development in December 2014 enclosing a preliminary schedule of the outstanding works. Following ongoing negotiations with the bondholders the bond monies were received on 3rd January 2017. An updated report in relation to the outstanding issues has been provided by the Planning Authority. It is our intention to arrange a meeting with the residents in the coming weeks with a view to progressing works on site in the up-coming months.*

While this development will be subject to consideration under Section 180 in due course, you will be aware that the Planning Permission granted by An Bord Pleanála provided for the setting up of a management company for the future management of the estate including maintenance of private open spaces, roads & communal areas etc. and such will be a factor in the consideration of this development for Taking in Charge under Section 180. I understand the development is comprised of permanent places of residents however the Planning Permission and the conditions attached to same are part of the overall assessment of a development for Taking in Charge.

20. Notice of Motion submitted by Cllr Gerard Flynn

Ar moladh Cllr Gerard Flynn

Cuidithe ag Cllr Cathal Crowe agus glacadh leis:

“Due to the recent increase in house burglaries in Shannon that the Gardai be requested to put in place a more visible presence of foot patrols in Shannon . The recent spate of break ins to residential homes has been very distressing for a lot of vulnerable people, and that the request would invite representatives of An Garda Síochána to a Special Meeting to discuss possible proposals to Curb this disgraceful activity that has upset members of our community.”

The meetings administrator was requested to invite representatives of An Garda Síochána to the May meeting of Shannon MD.

21. Notice of Motion submitted by Cllr Cathal Crowe

Ar moladh Cllr Cathal Crowe

Cuidithe ag Cllr John Crowe agus glacadh leis:

“That Clare County Council, in conjunction with Irish Water, restore all old village water pumps in the Shannon Municipal Area to full working order. Restoring these pumps would have the dual benefit of providing a back-up water supply to villages during times of outage and aesthetically improve the appearance of our area.”

Cllr. C Crowe requested that Irish Water are to be contacted regarding this motion.

22. 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 close-in (vis-a-vis the installation of a pipe) the open drain on the Knockalisheen Road in Meelick, install cautionary delineator signs and paint road markings to make this road safer.”

Eugene O’Shea replied as follows:

In conjunction with the 2016 road restoration maintenance works at this location the roadside drain was cleared to facilitate improved flow of surface water. While the installation of a surface water pipe is not considered warranted at this time, once vegetation has re-grown on the narrow roadside verge and it returns to its pre-works condition any perceived risk to vehicles on this straight section of the Knockalisheen road will be abated.

23. 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 revise the junctions on the (R463) to deal with –

- (I) Huge delays for people trying to exit the Westbury estate at morning time.
- (II) Inability of Shannon Banks residents to efficiently join the road - the relocation of the pedestrian crossing at the Applegreen Service Station could ameliorate this.
- (III) Lack of 'yellow boxes' meaning traffic, whilst at a standstill, blocks other cars from joining the road.”

Eugene O’Shea replied as follows:

In relation to (i) traffic counts will be undertaken in due course in order to determine peak hour traffic movements which will inform possible solutions to deal with delays. Estimates will also be sought for a filter light for traffic turning right. In relation to (ii) the cost of relocating the existing pedestrian crossing to the Shannon Banks junction would be prohibitive in the context of the available roads funding. The lack of “yellow boxes” at these junctions will be examined and their installation considered subject to available resources.

24. Notice of Motion submitted by Cllr John Crowe

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“I am requesting a footpath from the railway gates in Cratloemoyle to connect to the footpath at the end of Ballymorris footpath near Cratloe school. This is a narrow section of road used by a lot of pedestrians coming and going to the church and school.”

Eugene O’Shea replied as follows:

Construction costs alone for a footpath over this 1,600 metre section of the L3102 (Wood Road) would be well in excess of €250,000. Additional costs associated with drainage, public lighting, acquisition of lands on the narrower road sections etc would also have to be taken into account. In order for such a significant scheme to be progress a source of funding will first have to be identified.

25. Notice of Motion submitted by Cllr John Crowe

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“With reference to Church View, Sixmilebridge, I am requesting the road in Church View be resurfaced due to the subsidence of road where new water pipes were laid. I am requesting this for the safety of residents in this estate.”

Eugene O’Shea replied as follows:

Following installation of water services underground infrastructure in Church View some years ago subsidence in the associated trench has occurred, however this is over relatively short sections and over approx 15% of the road cross-section. While such subsidence would not warrant a complete pavement overlay some relatively minor repairs to the subsiding sections will be undertaken in due course subject to availability of resources and to prioritisation of works.

26. Notice of Motion submitted by Cllr John Crowe

Ar moladh Cllr John Crowe

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“That Clare County Council review the road surface on the R471 into Sixmilebridge from the Speed Limit at Mt. Ivers Gate in view of the number of accidents occurring during frosty weather and if traffic calming measures can be installed in the interests of safety for motorists and pedestrians as one particular stretch of this road is very narrow and the route is very busy.”

Eugene O’Shea replied as follows:

The speed limit in this location is 50 km/hr and a recently completed traffic survey indicated that excessive speed was not an issue. However, given the number of reported traffic issues recently, the condition of the road pavement, which was overlaid in 2013, will be reviewed and appropriate action taken if required.

27. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

“I would ask Clare County Council to widen the Road (R472) at the townlands of Carrigoran and Urlan Beg Newmarket on Fergus, as residents living in the general area find it very intimidating for cyclists, walkers and drivers alike.”

Eugene O’Shea replied as follows:

The R472 Regional Road at Carrigoran was widened and re-aligned over approx 500 metres as part of the N18 Ballycasey to Dromoland scheme some years ago. Travelling southwards from Carrigoran towards Shannon the road narrows to a width of approx 5.0 metres over a distance of approx 500 metres before widening again approaching Monument Cross. Widening of this narrow section of the R472 would require preparation of a road realignment design, acquisition of private property to facilitate the widening etc, however no funding is currently available for such a road scheme. It should also be noted that the road accident database in the council's MapRoad system indicates no evidence of an accident history at this location.

28. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr PJ Ryan agus glacadh leis:

"I would ask Clare County Council to examine the turn after Ing Cross leading from Ballygireen to Urlanmore as there is an unprotected drain at the road edge which is very hazardous to road users."

Eugene O'Shea replied as follows:

The L3156 is a narrow rural local road that carries traffic between Latoon and Urlanmore via Ballygireen. The open roadside drain referred to is protected for a short distance at what is probably the most critical point of the road alignment, a sharp corner, just south of Ing Cross, by a crash barrier that was installed on the outside of the corner some years ago. The road at either side of this bend is reasonably straight and typical of many rural roads across the county with an open drain running alongside it. While there is no evidence of an accident history the Shannon MD office will continue to monitor this location with a view to taking appropriate action if required.

29. Notice of Motion submitted by Cllr Pat McMahon

Ar moladh Cllr Pat McMahon

Cuidithe ag Cllr Gerard Flynn agus glacadh leis:

"I would ask Clare County Council for an update on the progress of the Taking in Charge of Rosan Bunraite, Bunratty as previously raised in my Notice of Motion from 26th May 2015 and recent approaches that have made to me by a number of the permanent residents of the Estate."

Helen Quinn, Senior Executive Planner replied as follows:

A claim was made on the bond in relation to this development in December 2014 enclosing a preliminary schedule of the outstanding works. Following ongoing negotiations with the bondholders the bond monies were received on 3rd January 2017. An updated report in relation to the outstanding issues has been provided by the Planning Authority. It is our intention to progress works on site in the coming months. It is also our intention to arrange a meeting with the residents in the coming weeks.

While this development will be subject to consideration under Section 180, in due course, the Planning Permission granted by An Bord Pleanála provided for the setting up of a management company for the future management of the estate including maintenance of private open spaces, roads & communal areas etc. and such will be a factor in the consideration of this development for Taking in Charge under Section 180. I understand the development is comprised of permanent places of residents however the Planning Permission and the conditions attached to same are part of the overall assessment of a development for Taking in Charge.

30. Correspondence

- Letter rec'd 6 January 2017 from OPW, South West Drainage Maintenance, Templemungret, Mungret, County Limerick (Cllr John Crowe's motion at November 2016 meeting refers)
- Letter rec'd 2 Feb 2017 from Bus Éireann (Cllr McMahon's motion at January 2017 meeting refers)
- Email reply received from Irish Water (Item No. 2 on Agenda)

The above correspondence was noted by all the Members.

31. Any Other Business (AOB)

- Cllr. John Crowe requested Kevin Thompstone is invited to the May meeting of Shannon MD to brief the members on the Venue Project.
- Community Grants to be discussed at the May meeting.

Cathaoirleach

Meetings Administrator