

**Minutes of the Shannon Municipal District Meeting held on
Friday, 29th May 2020 at 9.45am in the Council Chamber, Áras
Contae an Chláir, New Road, Ennis, Co. Clare.**

Present: Councillors Gerard Flynn (Cathaoirleach), P.J. Ryan, Michael Begley, Donna McGettigan, John Crowe, Pat McMahon, Pat O’Gorman, Liam Conneally Director of Services, Jason Murphy Senior Executive Officer, Brian McCarthy Senior Planner, Aidan O’Rourke Senior Executive Engineer and Patricia O’Neill Staff Officer.

Cathaoirleach Gerard Flynn opened the meeting and welcomed all present. Cllr Flynn reminded all present of the guidelines in place during the current Covid-19 pandemic, particularly in relation to social distancing and it was in this regard he stated that it was not necessary for the Members to sign the Register of Members’ attendance but that their presence at the meeting would be recorded. He also expressed sympathy to those who have suffered at the hands of Covid-19, acknowledging the difficult times and the unchartered waters due to this pandemic.

1. Minutes of Shannon Municipal District Meeting held on 10th March, 2020

The minutes of the Shannon Municipal District Meeting held on Tuesday 10th March, 2020 were proposed by Cllr. PJ Ryan and seconded by Cllr. John Crowe and agreed by all.

2. Road Works Programme

Aidan O’Rourke updated the Members in relation to the Road Works Programme. Under national guidance the Shannon MD were unable to undertake Road Works Programme projects during the period of lockdown . Emergency repairs were carried out where they posed a risk to public safety. Testing for the design of surface dressing has commenced and the preparation of roads started 25th May, following putting all COVID 19 mitigation measures in place.

The Members emphasised the importance of the full implementation of the Roads Works Programme in order to drawdown the allocated grant funding in the coming months.

Aidan O’Rourke added that already this year one month has been lost due to flooding response works in February & two months have been lost to Covid 19 and that this poses a serious challenge to the execution of the Schedule of Municipal District works. All effort will be focused on completion of these works.

3. Economic Development

URDF Application

Liam Conneally, Director of Service gave a brief background to this application.

- In 2018 an application was lodged for The Venue – Cultural & Civic Centre for Shannon Town under Category A (projects that are ready to be initiated)
- Funding made available under Category B (which requires further development prior to being initiated) in preparation of a Master Plan for Shannon Town Centre.
- Masterplan with a difference combining spatial component with Town Centre incorporating economic needs.

- 75% of the cost of this project provided by the Department of Housing Planning and Local Government under the URDF fund.

Liam Conneally then introduced Brian McCarthy, Senior Planner who went through a presentation to the Members on an overview of the preparation of the Shannon Town Centre Action Masterplan.

Objectives of the Plan

- Guide and stimulate the development. Making Shannon a more attractive destination in which to live, work and do business.
- Develop potential of key sites and seek to create a vibrant place for people to meet, recreate and connect with their area.
- High quality town environment
- Unlock development potential and guide it's built and economic environment.
- The plan will be informed by the economic appraisal, delivering a feasible masterplan for the town centre based on economic and market conditions.

Next Steps

- Harness the wealth of knowledge in Shannon
- Background Data Gathering
- Next stage 1 – 4 week period of engagement with Key Stakeholders
- Shannon MD Members central to success of the project, its acceptance and implementation

Liam Conneally summarised that that plan started in a different economic environment to what we are in now and this will be taken into account for the foreseeable future. He acknowledged that the Town Centre had underperformed in the past. Identifying gaps, options for retail, office, high street uses that Shannon should have for a town of its size.

4. Notice of Motion submitted by Cllr. Gerard Flynn Ar moladh Cllr. Gerard Flynn Cuidithe ag Cllr. Donna McGettigan

I am calling on Clare County Councils Housing Section to address the serious safety concerns for residents in Gort na Rí, Tullyvarraga, Shannon.

- a) Large overgrown trees located between Gort na Rí and St Aidan's School are been used as a hang out area and shelter for anti social behaviour and at times fires are started very near some residents homes and causing fear and anxiety for the residents who are at the receiving end of unacceptable behaviour.
- b) I am requesting the complete removal of these trees and a cleanup of the area due to health and safety concerns. I have requested some action verbally from the Council over the years but no action has been taken and some of the recent anti social behaviour during the Covid 19 restrictions has led to increased activity visited on some very vulnerable residents who deserve protection.

Aidan O'Rourke replied as follows:

Following an initial examination, the trees at this location have been determined to be on Council owned property. There are approximately one hundred mature evergreen trees at the location. These trees provide a screening and noise reduction function between the residential areas and the nearby school. Given the number and size of these trees, the removal cost and replanting with suitable native species will have to be

determined and action of these works subject to the provisions of the wildlife acts and its amendments. Should the cost of removal prove in excess of available funding a source of funding for these works will need to be identified. It may be possible as an interim measure to remove trees in particular spots along the stand where anti social behaviour is taking place.

Cllr. Gerard Flynn further highlighted the seriousness of this situation and will also be taking this up with the Housing Section.

5. Notice of Motion submitted by Cllr. Gerard Flynn
Ar moladh Cllr. Gerard Flynn
Cuidithe ag Cllr. Donna McGettigan

I am calling on Clare County Council to replace the filter lane for traffic turning left on Bóthar Mór (N19) at Aidan Park junction. A considerable amount of traffic coming from the Airport and Industrial Estate are causing tailbacks at this junction since Clare County Council removed the left lane facilitating traffic to Smithstown Estate also this reduction of traffic lanes at this junction has created difficulties for local residents trying to turn right on to Bóthar na Luachra.

Aidan O'Rourke replied as follows:

Once traffic levels have returned to normal levels, an assessment of the delay & tailback can be carried out to determine the extent of this issue. Given that this district recently invested in renewal of this lighting set, there are a number of options available should a significant issue exist to be rectified which can be costed and considered.

This Motion received the support of all the Members

6. Notice of Motion submitted by Cllr. Gerard Flynn
Ar moladh Cllr. Gerard Flynn
Cuidithe ag Cllr. PJ Ryan

I am requesting Clare County Council to urgently follow up on a previous request for the provision of serviced sites in Shannon for the development of private homes. Shannon Development previously provided such sites when they were in charge of Shannon but unfortunately since Clare County Council took over responsibilities for the town and surrounds in September 2004 no sites for individuals have been provided and it is over 10 years since the last private residential development in Shannon and I believe the Council needs to be conscious of the need for mixed accommodation choices in Shannon.

Helen Quinn replied as follows:

With reference to the response to a similar Notice of Motion on the 20th March 2020 by Brian McCarthy, Senior Planner I again reiterate that it is a stated Goal of *The Shannon Town and Environs Local Area Plan* to deliver quality housing and sustainable communities. The achievement of this objective relies on the sustainable and balanced delivery of a range of new build accommodation options by both the private and public sector.

To this end the Planning Department has commenced investigating means of activating and proactively facilitating the delivery of private sector residential development on a number of potential sites in Shannon, to complement the delivery and acquisition of units by the Housing

Department of Clare County Council for social housing. In addition a number of privately owned residential zoned sites were investigated and entered on the Vacant Sites Register for 2020 and will be subject to a levy in 2021 in accordance with the requirements of the Urban Regeneration and Housing Act 2015 (as amended). Furthermore it is noted that work has commenced on the Shannon Town Masterplan and an element for consideration in the preparation of this masterplan is a review of the existing residential profile. The outcome of this Masterplan will in turn inform the Planning Authority in terms of future zoning considerations and further initiatives required to boost and stimulate activity within the Town.

This motion was supported by all the Members and all agreed on the need for serviced sites for people working in Shannon who in turn can contribute and support cultural and economic developments in Shannon.

Liam Conneally advised that the Council are implementing Low Density Residential Zoning to meet immediate demand. Long term there is a need for a good housing mix fitting for Shannon Town. Look at need for housing in a holistic manner.

7. Notice of Motion submitted by Cllr. Pat McMahon
Ar moladh Cllr. Pat McMahon
Cuidithe ag Cllr. John Crowe

That the Shannon MD upgrade the road in the vicinity of McMahon's, Meere's and Donnelly's households at Carrigoran, Newmarket-on-Fergus as it is in a dangerous condition.

Aidan O'Rourke replied as follows:

This road will be examined to determine the immediate issues present and any immediate repairs carried out as soon as possible. The upgrade of the road is not included for in the 2020 Roadworks Programme and is outside the scope of funding typically afforded to the Municipal District. This matter will be raised with the Transportation Section of Clare County Council.

8. Notice of Motion submitted by Cllr. Pat McMahon
Ar moladh Cllr. Pat McMahon
Cuidithe ag Cllr. Gerard Flynn

I am requesting the Shannon MD to alleviate flooding in the vicinity of the Donnellan brothers houses (particularly in front of Conor Donnellan's house) Ballygirreen Lower, Newmarket On Fergus for the safety of the householders and motorists who use this road.

Aidan O'Rourke replied as follows:

Given the dry conditions at present, it is not possible to fully determine the cause, effect or what might be required to resolve this matter. The drainage issue at this location will be examined at the earliest opportunity to determine the extent of the issue and what measures are required to resolve and any such measures considered for inclusion in future drainage funding allocations.

9. Notice of Motion submitted by Cllr. Pat McMahon
Ar moladh Cllr. Pat McMahon
Cuidithe ag Cllr. PJ Ryan

I requesting the Shannon MD to ask Shannon Group to buy or long lease Fitzpatrick Hotel in Bunratty as it is a total eyesore and it is hampering the growth of Bunratty.

A discussion took place on this Motion with the Members agreeing on how unsightly the building looks given the tourism potential Bunratty has to offer. It was also acknowledged by the Members the fantastic work and commitment of Bunratty Local Development Committee in enhancing the appearance of Bunratty village.

Liam Conneally welcomed the comments from the Members and agreed that Shannon Group should be encouraged to engage with the owners of the hotel and if this is unsuccessful the Council could possibly use legislative powers under the Derelict Sites Act.

In this regard it was agreed that the Meetings Administrator would write to Shannon Group.

10. Notice of Motion submitted by Cllr. Donna McGettigan
Ar moladh Cllr. Donna McGettigan
Cuidithe ag Cllr. Pat O’Gorman

That this MD repair the footpaths around the back of the houses along Fergus road, Shannon. Residents living there are saying that they are uneven and unsafe.

Aidan O’Rourke replied as follows:

The footpaths in this area will be surveyed and assessed and considered for inclusion in this years footpath repair contract.

11. Notice of Motion submitted by Cllr. Donna McGettigan
Ar moladh Cllr. Donna McGettigan
Cuidithe ag Cllr. PJ Ryan

That this MD makes skips available in several areas of the town for people to bring their rubbish to. Dumping is becoming a huge issue as well as littering. If possible make use of a company that can be permanently established as pay as you go rubbish bin.

Brendan Flynn replied as follows:

Clare County Council operate a Recycling Centre in Shannon that can accept most recyclable material. There are 4 private kerbside waste collection operators serving Shannon at present.

In relation to the Illegal dumping Clare County Council are investing considerable time, money and staffing resources to monitor and investigate this activity throughout the County.

The Environment Section will work, as always, with the Municipal District in relation to a timely clean up of a public area where illegal dumping has taken place.

The Members agreed that the Shannon Recycling Centre was a great facility in the district but the level of illegal dumping in recent weeks had escalated.

There was a general discussion on the provision of coin operated skips similar to one that is currently operating in Corbally as an alternative but it would need to be in a carefully selected location for maximum supervision.

12. Notice of Motion submitted by Cllr. Donna McGettigan

Ar moladh Cllr. Donna McGettigan

Cuidithe ag Cllr. Gerard Flynn

I call on this MD to give a general reminder whether on radio, social media or notification in public areas of Section 70 of the 1993 Roads Act that obliges landowners and occupiers of lands to take all reasonable care to ensure that trees, hedges and other vegetation growing on their lands are not or could not become a danger to people using or working on the public road. This could include footpaths as complaints have come in where people have had to go out on the road because of hedges/vegetation overhanging on footpaths. This has become more noticeable during social distancing while out walking.

Aidan O'Rourke replied as follows:

Hedge cutting of boundaries along the road edge is the responsibility of each landowner as defined in Section 70 of the 1993 Roads Act. Media campaigns are organised on a countywide basis from the Transportation Section via the Councils Press Officer. In past years advertising campaigns have been run on this topic and the Transportation Section will be requested to consider a similar campaign this year. Typically this advertising campaign would run following the end of the bird nesting season to ensure that landowners cut hedges between 1st September and 28th February, as currently defined. Any locations where growth is causing a public health and safety risk during the summer months can be reported to the County Council.

Cllr. McGettigan clarified that she was referring primarily to the hedges, trees and other vegetation overhanging on footpaths within the town itself.

13. Notice of Motion submitted by Cllr. PJ Ryan

Ar moladh Cllr. PJ Ryan

Cuidithe ag Cllr. John Crowe

That this MD would pipe open roadside drains and repair road surface on the L3036 at Clogga, Sixmilebridge.

Aidan O'Rourke replied as follows:

Given the dry conditions at present, it is not possible to fully determine the cause, effect or what might be required to resolve this matter. The drainage issue at this location will be examined at the earliest opportunity to determine the extent of the issue and what measures are required to resolve and any such measures considered for inclusion in future drainage funding allocations.

14. Notice of Motion submitted by Cllr. PJ Ryan
Ar moladh Cllr. PJ Ryan
Cuidithe ag Cllr. Pat O’Gorman

That this MD would clean all footpaths in the Cratloe area, as there is a lot of moss and slime on the surfaces

Aidan O’Rourke replied as follows:

The footpaths in Cratloe will be examined and where slime and moss is found to be causing risk to pedestrians arrangement will be made to have this removed.

15. Notice of Motion submitted by Cllr. PJ Ryan
Ar moladh Cllr. PJ Ryan
Cuidithe ag Cllr. Donna McGettigan

That this MD would provide an access road from 46 - 50 Cill Chais, Tullyglass, Shannon, as residence have no access for delivery vehicles and emergency services, this has been an ongoing problem for a number of years and the residence were promised the access road by Shannon Development when the houses were first built

Aidan O’Rourke replied as follows:

The dwellings in question, numbers 46 to 50, are fronted by a green area and have a 2 metre wide pedestrian access to the rear. They were originally constructed without the benefit of road frontage and, presumably, occupied on that basis. There is provision for car parking at this location albeit not directly in front of the houses themselves. With no funding provided for the construction of new roads in the Shannon MD and limited funding available for the upkeep of existing public roads a source of funding will have to be identified in order to construct this proposed service road.

Cllr PJ Ryan stated that funding for this must be prioritised.

It was agreed that Aidan O’Rourke will carry out a costing of the proposal in order that it can be quantified what such a construction would cost. It was noted that if funding was made available in the future, any such works would have to be to the appropriate standards for road construction.

16. Notice of Motion submitted by Cllr. John Crowe
Ar moladh Cllr. John Crowe
Cuidithe ag Cllr. PJ Ryan

I am requesting an update as to when the bridge and riverbank in the square, Sixmilebridge will be done and also to take down the fencing that is blocking off the main river.

Aidan O’Rourke replied as follows

The design for these works is currently being progressed by consultants Malachy Walsh & Partners. Once the design has been finalised, and subject to consultation with private landowners at the location, it is intended a tender will be advertised in June in order that works can be completed during the summer period.

Cllr John Crowe expressed his dissatisfaction with the progress of these works. The fence was erected 12 months ago and is very unsightly in the centre of Sixmilebridge Village. He called on the Council to take urgent action. Aidan O'Rourke agreed to request that the Road Design section prioritise this project.

At this stage of the meeting it was proposed by Cllr. Gerard Flynn and seconded by Cllr. John Crowe to suspend the Standing Order in order to continue with the business of the meeting.

17. Notice of Motion submitted by Cllr. John Crowe

Ar moladh Cllr. John Crowe

Cuidithe ag Cllr. Michael Begley

I am requesting that the L70361 Ardnataggle to Earl Hill Road, Clonlara be upgraded.

Aidan O'Rourke replied as follows:

Provision has not been made within the current years Roadworks Programme for upgrade of this road but it will be considered for inclusion in future programmes. This road will be examined to determine the immediate issues present and any immediate repairs carried out as soon as possible.

Following a discussion on this Motion and the severity of flooding in this area Aidan O'Rourke stated that the Roads Crew will be in this area next week to assess same.

18. Notice of Motion submitted by Cllr. John Crowe

Ar moladh Cllr. John Crowe

Cuidithe ag Cllr. Pat O'Gorman

That this MD installs safety measures on L3102 Well Road from Cratloe Cross to Flannery's Cross.

Aidan O'Rourke replied as follows:

This location will be examined at the earliest opportunity to determine what measures, if any, are warranted at the location. It is noted that this roadway terminates within the boundary of the motorway maintenance scheme and if necessary the operator will be contacted to review this junction. Installation of measures determined will be subject to available resources.

19. Notice of Motion submitted by Cllr. Pat O'Gorman

Ar moladh Cllr. Pat O'Gorman

Cuidithe ag Cllr. PJ Ryan

I am calling on Clare County Council to erect CCTV cameras at Ballycar/Sweeps Rd, Meelick/Knockalisheen Rd, Meelick and also Gallows Hill, Cratloe in the interest of putting an end to illegal dumping.

Brendan Flynn replied as follows:

The use of CCTV for monitoring and investigating illegal dumping is one that requires careful consideration as it impacts on GDPR.

Clare County Council are currently developing a Data Protection Impact Assessment to enable the safe and compliant use of CCTV for such purposes.

After this has been agreed, the Environment section will consider the locations mentioned for CCTV usage.

Clare County Council recently carried out roadside checkpoints in conjunction with An Garda Síochána in the Shannon MD area to actively monitor and investigate such activity.

In relation to the Illegal dumping itself, Clare County Council are investing considerable time, money and staffing resources to monitor and investigate this activity throughout the County. The Environment Section will work, as always, with the Municipal District in relation to a timely clean up of a public area where illegal dumping has taken place.

This Motion was supported by all the Members particularly with the increase in illegal dumping since the Covid-19 pandemic. Members stated where prosecutions are initiated, 3rd parties are reluctant to provide evidence in court which is hampering successful prosecutions.

Liam Conneally stated that Clare Co Co are engaging with the Gardaí, checkpoints are carried out, there is continuous education in relation to waste management, while considerable resources are given to prosecution and evidence gathering.

20. Notice of Motion submitted by Cllr. Pat O’Gorman

Ar moladh Cllr.Pat O’Gorman

Cuidithe ag Cllr. PJ Ryan

That Clare County Council would install a pedestrian crossing and double yellow lines at St.John's N.S. Cratloe in the interest of the health and safety of our children.

Aidan O’Rourke replied as follows:

The above matter was previously discussed at the statutory meeting of Shannon Municipal District on the 21st January 2020. The answer recorded at this meeting was as follows:

A study will be carried out under the low cost safety scheme criteria to determine the locations suitability for a pedestrian crossing. An examination of lighting and road markings at this location has taken place and we are awaiting the return of cost proposals with a view to upgrading these at the earliest opportunity.

21. Notice of Motion submitted by Cllr. Pat O’Gorman

Ar moladh Cllr.Pat O’Gorman

Cuidithe ag Cllr. PJ Ryan

I request Clare County Council to undertake urgent remedial works regarding the storm water at Brick Hill East, Cratloe that flows under the railway line and into the graveyard to prevent future road flooding and graves in the graveyard being damaged.

Aidan O’Rourke replied as follows:

Drainage issues at this location occur during significant rainfall and flooding conditions as experienced recently in February of this year. The resolution of the issue at this

location is complicated by the presence of the railway line, and height difference to the graveyard area. It is understood that there is long occurring issue with flooding at the graveyard. Solution of this issue will require consultation with Iarnród Éireann under the Railway Safety Act 2005 and the co-operation of local landowners. The issue will be examined with the intention of determining a solution in order that it can be considered for funding under future drainage grant allocations.

Aidan O'Rourke further added that this is a substantial project and all options will be explored.

22. Notice of Motion submitted by Cllr. Michael Begley

Ar moladh Cllr. Michael Begley

Cuidithe ag Cllr. John Crowe

That the continuous saturation by storm water of the green area at the entrance to Lackyle Estate, Ardnacrusha, be corrected.

Aidan O'Rourke replied as follows:

In recent years works were carried out at this location to mitigate a storm water issue on the roadway. The saturation here will be examined and considered for works under future drainage works allocations.

23. Notice of Motion submitted by Cllr. Michael Begley

Ar moladh Cllr. Michael Begley

Cuidithe ag Cllr. John Crowe

That spraying of Giant Hog Weed at Mountcatherine, Clonlara, be carried out as soon as possible.

Aidan O'Rourke replied as follows:

The eradication of Giant Hogweed at a small number of locations in the district has commenced and will continue in coming weeks in line with guidance for the maximum impact. This location is included in these works.

24. Notice of Motion submitted by Cllr. Michael Begley

Ar moladh Cllr. Michael Begley

Cuidithe ag Cllr. Gerard Flynn

That an up-date or a start date for the construction of the Walkway/Cycleway from the Burlington car park at Gillogue to UL be set out to the MD meeting.

Seán Lenihan replied as follows:

The Members will be aware of our plans in this regard and what is envisaged is a pathway adjacent to the public road from the southern entrance of the Burlington Factory to the Humpback bridges passing over the River Blackwater and the Erinagh Canal. From there, it is proposed to enhance the pathway along the canal to facilitate pedestrians and cyclists more safely. The works will include a new gateway, widening and surfacing the pathway, appropriate treatment of any invasive species, appropriate limbing of trees and branches, low level public lighting and access from the bank to the footpath/carpark area of Thomond Village on the UL Campus. Funding for the proposed works has been secured and permission from the local

landowners/leaseholders has been agreed. We are currently reviewing our design in light of the Covid 19 pandemic and any changes necessary will be incorporated. We are also consulting with the College authorities in terms of the precise detail of linking on to their campus.

In terms of a start date, I wish to advise that following a Tender process, we have a Contractor in place to carry out the works. The Wildlife Act currently restricts the cutting of vegetation, hedges and trees during the nesting and breeding season from March 1st to August 31st. However, we would be hopeful of commencing work immediately thereafter.

Trusting that the above clarifies the position and assuring you of my availability to discuss the matter further if necessary.

Cllr. Michael Begley expressed concern with the progress of this project as funding has been in place with the last 4 years. He thanked Seán Lenihan for his reply but added doubt when the project will start due to changes to the project.

25. Correspondence

- Dept of Defence and Department of Justice re funding request on social inclusion grounds, to help provide a continuous footpath linking the Knockalisheen Accommodation Centre with Meelick Village (reply to Notice of Motion from November 2019 Meeting).
This was noted by the Members.
- Irish Water re Athlunkard Bridge water mains rehabilitation (reply to Notice of Motion from the January 2020 Meeting and further request at the March 2020 Meeting).
This was noted by the Members.

26. AOB

Confirm date for AGM in June.

It was agreed that the AGM would be held at the end of June and it was further agreed that the July Statutory Meeting would be brought forward and held directly after the AGM. The Meetings Administrator will liaise with the Members on a date for same.

Social Housing Development Meelick

The Members requested if there was further detail available following an article in the Clare Champion that a proposal for social housing in Meelick was not supported by the Department of Housing, Planning & Local Government, which would impact on the progress of other infrastructural and amenity developments in the area. Liam Conneally confirmed that he was aware that a letter had issued from the Department in recent days but was unable to comment at this point until the detail of same was further examined.

This concluded the meeting.

Cathaoirleach

Meetings Administrator

Date: _____