

**Minutes of Adjourned March Meeting of West Clare  
Municipal District, held on 15<sup>th</sup> March, 2017 at  
3.30 p.m. at Conference Room (316), Aras  
Contae an Chlair, Ennis, Co. Clare**

**Cathaoirleach sa Cathair:**

Cllr. B. Slattery,

**I Láthair:**

Cllr. P.J.Kelly, Cllr. R. Nagle, Cllr. I. Lynch, Cllr. G. Keating, Cllr. M. Hillery, Cllr. C. Curtin,

**As Láthair:**

Cllr. B. Chambers

**Officials present:**

Mr. Leonard Cleary, Area Co-Ordinator & A/Director of Service

Ms. S. McNulty, Senior Executive Engineer, West Clare Municipal District

Mr. J. Corry, Administrative Officer & Meetings Administrator.

Mr. T. Tiernan, A / Director of Service.

Cllr. Slattery convened the meeting. He proposed that as the Conference Room did not have sufficient room to facilitate the presence of the public who were interested in attending the meeting to hear the debate on the Speed Limit Review, that the meeting should instead reconvene in the Council Chamber within the next 5 minutes. This proposal was seconded by Cllr. Curtin & by Cllr. Lynch & the meeting reconvened in the Council Chamber at 3:15pm.

**1. Minutes of Meeting of West Clare Municipal District held on 23rd  
January 2017**

The Minutes were proposed by Cllr. Keating & seconded by Cllr. Nagle.

Cllr. Curtin sought an update on the reinstatement works on the R474 following the cable laying from Slieve Callan to the ESB substation on the Tulla rd. He added that there were certain sections of the road that were in urgent need of attention. T. Tiernan indicated that the majority of the civil works had now been completed & that a review was presently taking place of where further works were required to reinstate the road following these civil works. He added that Clare Co Council had been holding regular meetings with the developers throughout the duration of the works regarding issues that had arisen and that needed rectification.

## **2. Draft Schedule of Municipal District Works for 2017**

It was proposed by Cllr. Hillery & seconded by Cllr. Nagle that this item would be deferred.

## **3. Draft Speed Limit Review**

T Tiernan went through his report on the main changes proposed as part of the Speed Limit review. He mentioned that the TII were looking at reducing the speed limit on the N67 from 100km to 80 km along a significant portion of its length. He added that Clare Co Council had followed due process in accordance with the regulations. Cllr. Slattery read aloud a report submitted from those in the public gallery seeking to reduce the speed limit at the Corkscrew hill from 100km to 60km. T. Tiernan indicated that he agreed with this proposal but that it was the responsibility of the TII to set speed limits on national routes. T. Tiernan proceeded to further answer queries from the members re speed limits at a no of locations including Cross, Quilty, Cree, Ballyvaughan, Kilshanny etc. He outlined the Councils position regarding complying with national regulations as part of the speed limit review. He indicated that the Speed Limit would likely be going before the Full Council at the April meeting for consideration.

## **4. Part VIII for Kilkee Fire Station**

The report submitted by the Chief Fire Officer was noted by all & it was proposed by Cllr. Keating & seconded by Cllr, Nagle & agreed that the proposed works would proceed.

## **5. Proposal to declare road serving development at Fintra Beg, Miltown Malbay to be a public road.**

The proposal to take the road in charge was proposed by Cllr. Hillery & seconded by Cllr. Curtin and agreed, notwithstanding the report and recommendation from S. McNulty SEE that the road not be taken in charge because of its condition and the cost required to bring the road to a satisfactory standard. She also advised that if the Cllrs recommended that the road be taken in charge that Clare Co Council had no resources to carry out improvement works to same.

## **6. Proposal to declare road serving development at Station Court, Lahinch to be a public road.**

S. McNulty recommended that the road not be taken in charge because of its condition and the cost required to bring the road to a satisfactory standard. She also advised that if the Cllrs recommended that the road be taken in charge that Clare Co Council had no resources to carry out improvement works to same. She further highlighted that it may be a risk to Clare Co Council from a litigation point of view if it took in charge a road & was not in a position to carry out necessary repairs/improvements to same.

Cllr. Slattery recommended that a decision on taking in charge this stretch of road would be deferred bearing in mind the recommendations from S. McNulty,SEE that the road not be taken in charge.

## **7. Proposed lease of courthouse in Ennistymon**

It was proposed by Cllr. Nagle & seconded by Cllr. Slattery & agreed that the lease would be entered into.

## **8. Taking in Charge – Declaration of Roads at Lui na Greine, Cree to be Public Roads in accordance with S11 of the Roads Act 1993**

A resolution was proposed by Cllr. Curtin & seconded by Cllr. Lynch & agreed that the roads in this estate would be declared public roads in accordance with S11 of the Roads Act 1993.

It was agreed to take items 9 & 12 together

## **9. Notice of Motion submitted by Cllr. Hillery**

***“That safety measures such as speed ramps, electronic warning signs, pedestrian crossing, reduction in speed limit and signage be installed at Quilty National School and the village in the interest of safety”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*Quilty National School is on the N67 outside the 50kph speed limit of Quilty village where a 100kph speed limit applies except in accordance with the Fifth Schedule of the current Speed Limit Bye Laws which states that a special speed limit of 60km/hr shall apply to the N67 in the vicinity of the school from Monday to Friday during school terms for the following periods:*

- 9am to 9.20am*
- 1.55pm to 2.15pm*
- 2.55pm to 3.15pm*

*A further submission has been made as part of the speed limit review to reduce the speed limit in this location as part of the draft speed limit review which is before the Members for consideration today.*

*There are existing gateway advanced flashing warning signs for the school from both approaches, these gateway signs are accompanied by road markings advising that there is a school ahead and rumble strips from both approaches. There is a defect logged with the repair company regarding the flashing warning signs and we are waiting on the repair contractor to undertake the repairs.*

*Speed ramps are not appropriate on a National Secondary road where a 100 kph speed limit applies, nor is it appropriate to introduce a pedestrian crossing as there is no safe location to cross to on the eastern side of the road.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**12. Notice of Motion submitted by Cllr. Curtin**

***“That a review of the speed limit on the N67 approaching Quilty N.S. from the southern direction be undertaken in addition to the adjustment of the times for operation of the radar controlled speed signs at this location to cover the entire duration of the school opening hours”***

This Motion was seconded by Cllr. Hillery.

*Reply*

*Quilty National School is on the N67 outside the 50kph speed limit of Quilty village where a 100kph speed limit applies except in accordance with the Fifth Schedule of the current Speed Limit Bye Laws which states that a special speed limit of 60km/hr shall apply to the N67 in the vicinity of the school from Monday to Friday during school terms for the following periods:*

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*Speed ramps are not appropriate on a National Secondary road where a 100 kph speed limit applies, nor is it appropriate to introduce a pedestrian crossing as there is no safe location to cross to on the eastern side of the road.*

*Response Ends*

*Siobhan McNulty, SEE, West Clare Municipal District*

**10. Notice of Motion submitted by Cllr. Hillery**

***“That Irish Water would install a reservoir at Rockmount of sufficient capacity to supply Miltown Malbay and surrounding areas in the likely event of further burst in the pipeline from Doolough to the area and also the time lag involved in replacing this water mains with the recently announced 2 Million Euro Grant.”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*Irish Water has approved €400,000 for the following works in relation to Rockmount WTP:*

- *Purchase land and construct a pumping station north of Milltown Malbay.*
- *Decommission the existing Rockmount WTP.*
- *Construct new 2,000 cubic meter reservoir on the site of the decommissioned WTP.*
- *Linkage to existing countywide SCADA, consistent with IW Specifications.*

*Response Ends*

Paul Cremin, Capital Programmes Regional Lead, Irish Water.

**11. Notice of Motion submitted by Cllr. Hillery**  
***“That Clare Co. Council would provide a BUS STOP in Milltown Malbay”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*The current Bus Eireann service route stops on the Main Street to drop off and collect passengers although this is not identified as a designated Bus Stop. In order to regularise the current bus stop Clare County Council will in the first instance need to work with Bus Eireann to agree an appropriate bus stop location on their route. The provision of a bus stop on the Main Street will have a significant negative impact on the availability of on-street parking.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

Cllr. Hillery suggested that it might be appropriate that a Deputation would attend a future meeting to discuss.

**13. Notice of Motion submitted by Cllr. Curtin**  
***“That the defective section of the R484 from the cross to the Council housing scheme entrance on the Ennis rd in Kilmihil village be repaired & brought up to an acceptable standard.”***

This Motion was seconded by Cllr. Lynch.

*Reply*

*This section of road is not included for in the 2017 draft Schedule of Municipal District Works; we will however continue to provide routine maintenance.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

It was proposed by Cllr Kelly & seconded by Cllr. Lynch to suspend Standing Orders & extend the meeting to 6pm to allow the business to be concluded.

**14. Notice of Motion submitted by Cllr. Curtin**

***“That a report on the condition of roads & footpaths in the Council housing schemes within the West Clare Municipal District be prepared & in the interim remedial action be carried out on defective sections in the Marian estate, Kilkee & Doonbeg scheme (adjacent to Amenity scheme entrance).”***

This Motion was seconded by Cllr. Lynch.

*Reply*

*The roads and footpaths within the Marian Estate, Kilkee and the Lake View estate in Doonbeg are public and maintained by the West Clare Municipal District roads staff. A significant proportion of the housing within each of the estates is social housing and managed and maintained by the Social Development Directorate (incorporating Housing Services) of the Council. The need for works to the roads and footpaths within each estate would be a matter for the West Clare Municipal District roads staff and the ability to carry out any works would depend on availability of resources and priorities.*

*Response Ends*

Robert Burns, A/SEE, Housing, Change Management Culture & Emergency

**15. Notice of Motion submitted by Cllr. Lynch**

***“That the WCMD designate Kilrush town as a poster free zone in all future elections”***

This Motion was seconded by Cllr. Kelly.

*Reply*

*The provisions of the Electoral Act, 1992 govern the timing of the erection of election posters and this legislation, in conjunction with the Litter Act are used to ensure that posters are erected and taken down within the prescribed time-frames.*

*One option to regulate or limit the areas in which posters can be erected would be the making of Bye-Laws under the Litter Acts 1997 to 2009, which would have a legal standing and could prohibit the erection of posters in particular areas or set down rules regarding the location or erection of the posters. Some local authorities have adopted protocols for the erection of temporary posters (such as Election Posters), including prohibition on the erection of posters in particular streets or areas. Another local authority has issued guidelines in relation to the erection of election posters.*

*It is understood that the current arrangements in place in Newmarket on Fergus arose from a community initiative.*

*In the interest of progressing this matter, the options could be considered by the Environmental and Transportation SPC.*

*Response Ends*

Carmel Greene, SEO Corporate Services

Cllr. Lynch suggested that an amendment be proposed to the Motion to include Bye Laws for the administrative Area of the entire West Clare MD area & this was seconded & agreed by all the members.

**16. Notice of Motion submitted by Cllr. Lynch**

**" That the public lighting from Francis Street to Cappa pier be up graded and additional lighting be placed on Shellshock road."**

This Motion was seconded by Cllr. Curtin.

*Reply*

*The budget for public lighting for the County is limited (in the region of €40,000- this allocation is to fund upgrades and repairs to the existing public lighting network). Additional funding has been sought and may be provided by TII to upgrade public lighting on National routes. The extension of the public lighting network to more rural areas is not in line with Clare County Councils policy on reducing our carbon footprint in order to achieve the obligated 33% reduction in energy use by 2020.*

*Based on the above we are not in a position to facilitate this request.*

*Response Ends*

Siobhan McNulty,SEE, West Clare Municipal District

Cllr. Lynch suggested that this was a very busy route for walkers and it was very important to have same adequately lit.

**17. Notice of Motion submitted by Cllr. Lynch**

**"That this Municipal District request that a youth development programme to be established under the directorate of Rural Development with responsibility for identifying and co-ordinating the development of key facilities for youth within the WCMD."**

This Motion was seconded by Cllr. Curtin.

*Reply*

*The Action Plan for Rural Development 'Realising our Rural Potential' contains a number of specific actions which will benefit young people. In response to the national action plan, Clare County Council has facilitated the establishment of a Clare Rural Development Forum whose members are drawn from many sectors including organisations that specifically focus on working with the youth of the county.*

*The remit of the Forum is to produce a Rural Development Strategy for County Clare which will be all-encompassing and which will draw from the actions contained within the national action plan. It is envisaged that the strategy will contain youth focused actions.*

*The Strategy will be published in May 2017 and the implementation of the identified actions will commence immediately. All key stakeholders will be involved in its implementation which will be based on the principle of the bottom-up approach and collaborative working relationships.*

*Response Ends*

Monica Meehan SEO, Rural Development

Cllr. Lynch suggested that there should be a sub committee put in place.

**18. Notice of Motion submitted by Cllr. Keating**

***“To request Clare County Council to provide wheelchair access at Glasheen Bay on the R487 at Doonaha.”***

This Motion was seconded by Cllr. Kelly.

*Reply*

*Glasheen Bay is not a designated bathing area therefore it is not appropriate to prioritise universal access to this beach. There are nine Blue Flag and two Green Coast beaches in Clare which are guarded and are proven to have excellent water quality and in this regard we would encourage bathers to avail of these facilities in the first instance. Presently there is no available funding for universal access to beaches however if funding should become available the 11 blue flag/green coast sites would have priority.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

Cllr. Keating indicated that he proposed this motion as Chair of the Clare branch of the Irish Wheelchair Association and he made reference to an article in the Irish Times in 2011 regarding the location. He stressed the importance of disability access to the beach.

**19. Notice of Motion submitted by Cllr. Keating**

***“To remove bend on the R484-98 opposite Michael Ryan’s house, Lacken, Kilmihil. There has been a number of accidents at this bend and as road works will be taking place on this roadway it may now be an opportune time to carry out these works.***

This Motion was seconded by Cllr. Kelly.

*Reply*

*Works are proposed on the R484 at Leitrim as part of the draft 2017 Schedule of Municipal District Works however this section of road is not included. We will continue to provide routine maintenance as required.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District



**20. Notice of Motion submitted by Cllr. Keating**  
***“To carry out repairs to Nagles Bridge (repair original stone and capping) on R473 between the parish of Ballyea and Ballynacally .”***

This Motion was seconded by Cllr. Kelly.

*Reply*

*The allocation of funding for bridge works within the West Clare Municipal District is as set out in 2017 draft Schedule of Municipal District Works however funding for this (Claureen) bridge is not provided. Given the constraints of this bridge programme it is unlikely that works can proceed on this bridge during 2017.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

Cllr.Keating complimented the work done at Clondegad bridge.

**21. Notice of Motion submitted by Cllr. Kelly**  
***“That Irish Water be requested to take over Lislanahan Group Water Scheme.”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*The initiative to apply to be taken over by Irish Water has to come from a group itself rather than from the Council. The Council’s Rural Water team send application forms and related documents in December 2016 to 18 (eighteen) group water schemes which had expressed an interest in being taken over, and the list did not include Lislanahan. However if the officers of the scheme contact us and express interest, we will send them the documents.*

*Response Ends*

Sean Ward, Senior Engineer , Water Services

**22. Notice of Motion submitted by Cllr. Kelly**  
***“That an update be obtained from TII re proposal to make junction at L2138 & N68 at Cranny Cross safe for public use.”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*Works on the N68 to improve driver awareness of the junction - signing, improvement to sightline etc; were complete in late 2014. It is my understanding that the vertical alignment of the N68 impacts on the sight distance at this junction and in this regard Clare County Council has raised the matter with TII to explore additional measures to improve the functionality of the junction.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**23. Notice of Motion submitted by Cllr. Kelly**

***“That an update be obtained from TII on the delay to carry out essential repairs to the N68 at Caherea.”***

This Motion was seconded by Cllr. Curtin.

*Reply*

*Clare County Council is actively working on this project and will be in a position to tender the project in the coming weeks. Like Clare Co Council, the TII are anxious that the solution be implemented as soon as possible and are working with us to ensure the delivery of this project.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

The response was welcomed by Cllr. Kelly.

**24. Notice of Motion submitted by Cllr. Slattery**

***“I am requesting that road number L10522 from Michael Healy's house at Killaspuglinane to the three cross roads at Caheraderry be included in the 2017/2018 road works programme for strengthening and re-surfacing and that it be maintained in the meantime.”***

This Motion was seconded by Cllr. Nagle.

*Reply*

*This road is included in the draft 2017 Schedule of Municipal District Works which is before the Members for agreement.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**25. Notice of Motion submitted by Cllr. Slattery**

***“I am requesting that 300metres of road at Lack East, Kilmihil, from its junction on the N68 to the entrance of Oliver O’ Sheas avenue, be taken in charge by Clare County Council ,and that a proper crash barrier be provided for same in the interest of road safety. “***

This Motion was seconded by Cllr. Nagle.

*Reply*

*Clare Co Council will instigate the process for taking in charge a private roadway in line with the Policy for Taking in Charge Private Roads which was adopted by Clare Co Council in September 2015.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**26. Notice of Motion submitted by Cllr. Slattery**

***“I am requesting that road number L5238 from Callura South to Furglan be included in the 2017/2018 road works programme for strengthening and re-surfacing and that it be maintained in the meantime.”***

This Motion was seconded by Cllr. Nagle.

*Reply*

*Clare Co Council will instigate the process for taking in charge a private roadway in line with the Policy for Taking in Charge Private Roads which was adopted by Clare Co Council in September 2015.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**27. Notice of Motion submitted by Cllr. Nagle**

***“I am proposing that Clare Co Council take in charge the road going to Rouines & Hynes at Ballycotton North, Liscannor.”***

This Motion was seconded by Cllr. Slattery.

*Reply*

*Clare Co Council will instigate the process for taking in charge a private roadway in line with the Councils Policy for Taking in Charge Private Roads which was adopted by Clare Co Council in September 2015.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**28. Notice of Motion submitted by Cllr. Nagle**

***“I am proposing that Clare Co Council take in charge the road going into Dillons, Griffey's, Mulrooneys & a no of other houses (6 in total) at Garryvohil, Inagh.”***

This Motion was seconded by Cllr. Slattery.

*Reply*

*Clare Co Council will instigate the process for taking in charge a private roadway in line with the Councils Policy for Taking in Charge Private Roads which was adopted by Clare Co Council in September 2015.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

**29. Notice of Motion submitted by Cllr. Nagle**

***“I am requesting that Clare Co Council would carry out resurfacing works on approximately 400m of the R480 above the entrance to Ballylibane House, Ballyvaughan commencing at the first bend.”***

This Motion was seconded by Cllr. Slattery.

*Reply*

*This section of road is not included for in the 2017 draft Schedule of Municipal District Works; 1.1km of the R480 at Caherconnell is included for in the 2017 Restoration Maintenance programme however the R480 is not included in the 2017 Restoration Improvement programme due to resource constraints.*

*Response Ends*

Siobhan McNulty, SEE, West Clare Municipal District

Cllr. Nagle indicated that he was disappointed with the response as the Motorclub Hillclimb was proposed to take place on this road at the end of April. He added that this event brought a lot of visitors to the North Clare area

J. Corry added that he had been advised by Cllr. Chambers not to have his Motions moved in his absence

**28. A.O.B**

There was no further business

This then concluded the business of the meeting.

**Signed :**

**Cllr. B. Slattery**

**Cathaoirleach**

**Signed :**

**J. Corry**

**Meetings Administrator**

**Dated this the 2<sup>nd</sup> day of May 2017.**