Minutes of West Clare Municipal District Meeting Tuesday 14th November, 2023 at Council Chamber Áras Contae an Chlár Ennis & Online via MS Teams

Cathaoirleach

Cllr. Ian Lynch

I Lathair

Cllr. Cillian Murphy Cllr. Gabriel Keating Cllr. Joe Killeen Cllr. PJ Kelly Cllr. Liam Grant Cllr. Joe Garrihy (online) Cllr. Shane Talty (online)

Apologies

Cllr. Bill Chambers

Official Present

Mr. Leonard Cleary, Director of Service, WCMD Mr. John O'Malley, Senior Executive Officer, WCMD & Meetings Administrator Mr. Alan Kenneally, Senior Executive Engineer, WCMD (Kilrush)(online) Ms. Carmel Greene, Senior Executive Officer, Economic Development Mr. John Leahy, Senior Engineer, Roads & Transportation Mr. Liam O'Connor, Administrative Officer, Roads & Transportation Mr. Colm Linnane, Senior Staff Officer, Roads & Transportation Mr. Steve Lahiffe, Senior Staff Officer, WCMD Ms Carmel Carey, Staff Officer, WCMD

The meeting was convened by Cathaoirleach Cllr. Ian Lynch.

1. Allocation of 2024 GMA funding for West Clare MD.

Cllr. Lynch referred to the 2024 GMA Budget which was agreed at the previous meeting and took the opportunity to remind Members to submit their requests before year end.

- Minutes of the September Meeting held on the 5th September of the West Clare MD. The minutes were proposed by Cllr. Gabriel Keating and seconded by Cllr. Cillian Murphy
- **3.** Disposal of piece of ground at rear of 4 New Cottages Ennistymon. Proposed by Cllr. Joe Killeen and seconded by Cllr. Ian Lynch
- **4.** Consideration Of submissions and decision on adoption of Kilkee Parking Bye-Laws Proposed by Cllr. Cillian Murphy and seconded by Cllr. Ian Lynch
- **5.**Declaration of Public Road Section 11 of the Road Act, 1993 Cúirt an Leachta, School Road, Lahinch Proposed by Cllr. Joe Killeen and seconded by Cllr. Joe Garrihy

Rural Development, Planning & Economic Development, Social

6. Notice of Motion from Cllr. Joe Killeen:

We call on Clare County Council to investigate the possibility of keeping the toilet facilities open in Spanish Point and Fanore at designated times during the Winter months.

The motion was seconded by Cllr. Ian Lynch

Reply from John O'Malley Senior Executive Officer West Clare MD and Paudie Barry Executive Engineer West Clare MD.

The Area Office in Ennistymon has committed to keeping the toilet facilities at Spanish Point and Fanore Beaches open at weekends during the winter months with resources directed from the existing teams for this. We will also commit to extending the opening hours at both locations for the Christmas period.

Cllr Kileen welcomed the response adding that it was a vital service to provide for the public who regularly partake in sea front walks at the beaches.

7. Notice of Motion from Cllr. Cillian Murphy:

In respect of the joint NOM passed at the full council meeting in July 2022, that a specific allocation be made of, local authority housing estates across the county, I request that resurfacing of the road in Marian Estate, Kilkee be undertaken as a matter of urgency.

The motion was seconded by Cllr. Gabriel Keating

Reply from Alan Kenneally, Senior Executive Engineer West Clare MD

Marian Estate in Kilkee is typical of many housing developments in West Clare. Developments are perhaps 50 years or more old and the road surface is relatively poor in places. Road reconstruction is required to restore the road surface to its original condition, and this can only be done using a bituminous pavement overlay (*Surface dressing isn't an option in housing developments due to loose chippings*). West Clare MD has been in contact with our colleagues in the Housing Department of Clare County Council about Marian Estate and other LA housing developments in West Clare. A funding source has been identified that will allow some works to take place in Marian Estate in Q2 2024. Funding isn't sufficient to allow for the resurfacing of all roads in the Estate, but we will be able to commence much needed remedial work and hopefully additional funding will be secured in the future.

Cllr. Murphy acknowledged the positive response from the Housing Department stating that it was important that roads in older Estates would be maintained to a good standard and suggested that the repairs would take into account the needs of older residents.

8.Notice of Motion from Cllr. Cillian Murphy:

That Clare County Council contact the National Parks and Wildlife Service and the Heritage Division of the Department of Housing, Local Government & Heritage with a view to discussions on the state of purchase of Mutton Island.

The motion was seconded by Cllr. Ian Lynch

Reply from Leonard Cleary Director of Services Tourism Development

Update and further discussion to be had at meeting.

Cllr Murphy advised the meeting that the reason for the motion follows on from an approach he had from the current owner of Mutton Island to see if the State would be interested in purchasing it. He described it as an important habit particularly in light of the biodiversity crises and said it was an unique opportunity to add value to a part of the County that does not see a lot of development.

Leonard Cleary agreed that there was huge merit in the proposal and indeed it was a unique opportunity for Clare County Council. He committed to contacting National Parks and Wildlife Service and to a pre-visibility study to explore the level of investment potential with regard to facilities on the mainland.

9. Joint Notice of Motion from Cllr. Joe Garrihy and Cllr. Shane Talty:

We call on Clare County Council to work with Stakeholders/Tour companies and Failte Ireland to develop a voluntary code of conduct & practice for large buses on their visits to The Burren & Cliffs of Moher UNESCO Global Geo Park for 2024 season including reinforcing respectful driving habits & culture in relation to the special area being transversed and road capacities. Desisting from use of unsuitable secondary words in the area. A possible one way route system around the National Park and Wild Atlantic Way routes endeavouring to include a stop in local towns & Villages, community owned or local attractions/SMEs in local town & villages, timing of arrivals at heavily trafficked viewing spots such as Ballyreen to lessen impact and congestion. Reinforcement of leave no trace culture and practices.

Reply from Leonard Cleary Director of Service Tourism Development

Clare County Council is currently preparing a North Clare Transport and Traffic Plan. This will involve considerable research and technical data. It will also involve engagement with the host communities, businesses and stakeholders. This proposed code of practice and one-way route system will be researched and consulted upon as part of the process.

Cllr Garrihy expressed thanks for the reply. He stated that he would appreciate if something could be fast tracked similar to what Kerry has done as he felt it is important to bring more footfall into town and villages and support small businesses and visitor attractions.

Cllr. Talty also expressed thanks for the reply and advised that the motivation behind the motion is to pick out some improvement for action over the coming months.

John O'Malley informed the meeting that the Executive was commitment to this Plan and that he is working with Tourism Development to deliver some early wins.

10. Notice of Motion from Cllr. Joe Garrihy:

I call on Clare County Council to specifically focus on resourcing and capacity building for representative local development groups and Town Team structures to strengthen local voices, coherence of planning, cohesive resource assessment and representative forums across the West Clare MD.

The motion was seconded by Cllr. Ian Lynch

Reply from Bernadette Haugh Senior Executive Officer Rural & Community Development

The Rural Development Directorate, through the four Rural & Community Development Officers, continue to support Community Groups across the County working to the core values and principles of Community Development providing a wide range of existing supports in the areas of governance, engagement and capacity building, Identifying and developing funding applications and delivering projects of scale and comparative advantage by fostering co-operation and partnerships. Where projects are 'community-led', the RCDOs ensure that the community has the capacity to act as competent 'project promoters. Where projects are led by the Local Authority or other Agencies, the RCDOs ensure that communities have the capacity to act as competent 'project partners. Since 2018, €40 million in projects and community supports have been delivered across Clare Communities.

The Rural & Community Development Officers have also supported the Town Centre First Officer in the establishment of a town team in Sixmilebridge and will draw from this model to see how we can further influence the development of new and existing structures across the County.

The Clare Local Area Grants Scheme continues to provide funding supports to Community Groups across Clare. The 2023 Scheme provided grant support across 9 grant categories including Public Realm Initiatives and Amenity Projects, Maintenance of Open Spaces in Private Housing Developments, Burial Ground Maintenance, Irish Language, Best Kept Local Authority Estate, Tourism Marketing and Promotion, Sustainable Tourism, Community Playground and Arts. As part of the Budgetary process the Rural Development Directorate has sought funding towards once-off start-up costs for Community Groups to enable new & existing groups to grow capacity together with funding towards project development measures to support community groups in advancing a project from initial concept stage to being 'shovel-ready' for national funding applications. Any changes to the current funding categories under the Local Area Grants Scheme will be a matter for consideration by the Rural Grants Working Group in agreeing the terms of reference for the new scheme, prior to approval by the full Council in Quarter 1 2024.

11. Notice of Motion from Cllr. Ian Lynch:

That the recently conducted Queens University Town Centre Health check for Kilrush Town is presented to Clare County Council Senior Management Team followed by a presentation of same to the West Clare MD.

The motion was seconded by Clllr. Cillian Murphy

Reply from John O'Malley Senior Executive Officer West Clare MD

A meeting is being arranged with Management Team and the CE for this presentation to be given by Queens University on what was a very well developed Survey for Kilrush. A further briefing will be arranged for the West Clare MD members shortly following this.

Cllr Lynch suggested that following publication of Pobal Deprivation Index scores, Kilrush needed investment.

12. Notice of Motion from Cllr. Liam Grant:

Call on the West Clare MD to install a handrail on Church Hill in Ennistymon. A handrail is needed on the outside edge of the path to help people walk up the hill and to stop cars parking on the path. There are elderly people and wheelchair users that would greatly benefit from this.

The motion was seconded by Cllr. Shane Talty

Reply from John O'Malley Senior Executive Officer West Clare Md and Paudie Barry Executive Engineer West Clare MD

This request is currently being considered with a view to progressing this once permissions can be agreed with landowners along the route.

Cllr Grant said he was happy with the response and is willing to work with WCMD to progress the work advising that the handrail is necessary to assist people safely get up the steep hill. Both Cllr Grant and Cllr Talty acknowledged the great work done by the residents and the Tidy Towns committee in the town.

Physical Development

13. Notice of Motion from Cllr. PJ Kelly:

That Clare County Council include on its 2024 programme of works a footpath from Cranny School to Cranny Church.

The motion was seconded by Cllr. Ian Lynch

Reply from Alan Kennelly Senior Executive Engineer West Clare MD

A footpath from Cranny School to Cranny Church will be considered for inclusion on the 2024 Schedule of Municipal District Works.

14. Notice of Motion from Cllr. PJ Kelly:

That the L6292 road Labasheeda be brought to an acceptable level of repair.

The motion was seconded by Cllr. Ian Lynch

Reply from Alan Kennelly Senior Executive Engineer West Clare MD

The L-6292 is a local secondary road with a low AADT count (<500). It has mid-range PSCI survey scores and is thus at an acceptable level of repair. It will be considered for inclusion on the 2024 Schedule of Municipal District Works. I will ask that the velocity patcher visit the L-6292 and carry out remedial works when it is next in the area.

15. Notice of Motion from Councillor PJ Kelly:

That Transportation Infrastructure Ireland reduce the 80km speed to 60km per hour on the N68 in the centre of Lissycasey Village to allow a uniform 60km speed limit through the village.

The motion was seconded by Cllr. Ian Lynch

Reply from Anne O'Sullivan Senior Executive Engineer Transportation

A review of the speed limit process has been carried out by the Department of Transport and the resulting "Speed Limit Review Report " published in September 2023 has made recommendations that will impact the setting and application of speed limits. Consequently the initiation of any such speed limit review is considered premature until such a time as the Department of Transport issues new guidance documents on the application and setting of speed limits & updated legislation. Your request for an amendment to the speed limit on the N68 in Lissycasey will be considered as part of the next speed limit review. If it is considered that the speed limits at this location are not set in accordance with the relevant guidance at the time a member of the public can submit a Speed Limit Appeal.

16. Notice of Motion from Cllr. Cillian Murphy:

That the following works are undertaken as soon as practicable a) clearing of the culvert on the L2000 to alleviate the severe flooding on the road at Fodra Bay and the R487, on the road to Loophead Lighthouse and b) to repair the significant damage at the corner of Crottys Cross, the junction of the L2000 and the R487 on the road to Loophead Lighthouse.

The motion was seconded by Cllr. Gabriel Keating

Reply from Alan Kenneally Senior Executive Engineer West Clare MD

- a) Clare County Council / West Clare MD has recently applied for funding to clear the piped culvert in question. In addition to clearing the culvert, we hope to replace the metal grille at the culvert outfall if our application proves successful. This should prevent a recurrence of the problem.
- b) West Clare MD is aware of the subsidence of the road surface at Crotty's cross. We will endeavour to repair the surface once weather conditions are favourable. Ideally, we would like to schedule the culvert repair and remedial works to the junction simultaneously.

Cllr. Murphy appreciated the positive response and welcomed the application for funding.

17.. Notice of Motion from Cllr. Gabriel Keating:

To carry out strengthening and resurfacing on the L607 Caherlean and the L6086 at Tullaher , Doonbeg.

The motion was seconded by Cllr. Ian Lynch

Reply from Alan Keneally Senior Executive Engineer West Clare MD

1. The L-6072 is a local secondary road with a low AADT count (<500). It will be considered for inclusion on the 2024 Schedule of Municipal District Works.

2. The L-6086 is a local secondary road with a low AADT (<500). Long sections go through bog with consequently poor foundations. It will be considered for inclusion on the 2024 Schedule of Municipal District Works.

I will ask that the velocity patcher to go to both roads and carry out remedial works when it is next in the respective areas.

18. Notice of Motion from Cllr. Gabriel Keating:

To request Clare County Council to carry out resurfacing works at Connolly on the L8344.

The motion was seconded by Cllr. Ian Lynch

Reply from Alan Kenneally Senior Executive Engineer West Clare MD

The L-8344 is a local secondary road with a low AADT count (<500). There are currently forestry works taking place on the road. Once forestry works are complete West Clare MD will seek a contribution from the forestry company towards for any damage caused to the public road network *(if any)*. The L-8344 will be considered for inclusion on the 2024 Schedule of Municipal District Works. I will ask that the velocity patcher go to the L-8344 and carry out remedial works when it is next in the area.

19. Notice of Motion from Cllr. Gabriel Keating:

To carry out resurfacing on the L6204-0 at Molosky, Cree.

Reply from Alan Kenneally Senior Executive Engineer West Clare MD

The L-6204-0 is a local secondary road with a low AADT count (<500). The West Clare MD is aware that a section is currently in poor condition with a low PSCI score. The L-6204-0 will be considered for inclusion on the 2024 Schedule of Municipal District Works. I will ask that the velocity patcher visit the L-6204-0 and carry out remedial works when it is next in the area.

The motion was seconded by Cllr. Ian Lynch

20. Notice of Motion from Cllr. Joe Garrihy:

In the interest of traffic safety, management measures, fairness and equity and in the context of major imbalance and discrimination against rural areas in the 2024 Active Travel allocations, I call on West Clare MD and Clare County Council to redouble efforts to present shovel ready Active Travel schemes for prioritisation of funding from development contributions and Active Travel in 2024 to make up for injustice of 2023 allocations. In particular, I call for the €175,000 decomitted from Doolin footpaths which are shovel ready, long overdue and a major pedestrian hazard to be restored immediately for implementation in advance of the 2024 tourism season.

The motion was seconded by Cllr. Liam Grant

Reply from Anne O'Sullivan Senior Executive Engineer Transportation

The NTA have not yet made a call for funding submissions for new 2024 projects. I would caution that the emphasis for Active Travel funding from the NTA is on the schemes that deliver the greatest impact. That being said Clare County Council will continue to make representations with the NTA Active Travel Department with a view to securing funding for these type of projects, in particular the Doolin footpath project which has significant active travel merits & will be hugely beneficial to facilitating 'active travel' in the busy village of Doolin and its pier.

21. Notice of Motion from Cllr. Shane Talty:

Request an update on the status of the Miltown Malbay Flood Relief Scheme.

The motion was seconded by Cllr. Joe Garrihy

Reply from Sean Lenihan Senior Engineer Capital Projects

Members will be aware of the significant flooding experienced in the Church Street/Canada Cross area of Miltown Malbay in the past and the Councils absolute commitment to mitigate same. A Flood Relief Scheme was designed and submitted for Planning Permission under the Part VIII process and was subsequently approved. Funding for the proposed scheme was granted by the OPW under their Minor Works Scheme Programme in the sum of circa €490k.

The proposed works were tendered and a letter of intent issued to the successful Contractor. However, unfortunately, and despite our best endeavours, agreement could not be reached with all Landowners affected by the proposed scheme which delayed the works commencing on site resulting in the expiration of the tender validity period.

Members will be further aware of the hyper inflation experienced by the Construction industry generally which will lead to a significant uplift in the cost of the works if retendered. If significantly more, it is doubtful that the proposed scheme would be economically viable given the strict criteria for minor works schemes funded by the Office of Public Works. However, Clare County Council is still committed to finding a solution and if timely Landowner agreement is forthcoming, we may still be able to put in place the necessary infrastructure required. To that end, I raised the matter of securing increased funding for the scheme at a meeting earlier today with the OPW. They have asked that I follow up in the coming days with a formal request in writing for their consideration.

I will keep the Members informed of further developments in this regard.

The members expressed their support for the motion highlighting the concerns amongst local residents at the risk of flood damage in light of recent storms and hoped that the scheme would go ahead.

22.. Notice of Motion from Cllr. Shane Talty:

Ask that Clare County Council re-instate the daily street sweep/clean in the Market town of Ennistymon. Failte Ireland & Clare County Council recently publicised the marketing of Ennistymon as a tourism destination. Such plans ring hollow when long standing basic services are being reduced.

The motion was seconded by Cllr. Liam Grant

Reply from Paudie Barry Executive Engineer West Clare MD

The Area office in Ennistymon has committed a general operative 4 days per week to street cleaning and general maintenance in Ennistymon for the winter months. This will be reviewed in line with the Work force Plan with a view to extending beyond this time if resources allow.

A number of members showed their support for this motion stating that it was important that the Council/ WCMD provide a full time service in the town and not to be relying on Tidy Towns to carry out this work.

23. Notice of Motion from Cllr. Joe Killeen:

In light of climate change and worsening rainfall, we call on Clare County Council (North Clare MD) to carry out an assessment of flood risk areas, report on mitigation measures in place already and proposed measures to include pumping the water to the sea in Ballyvelleghan and dredging the Upper Fergus north of Ennis. That Clare County Council apply to Central Government for extra funding to carry out this remediation work.

The motion was seconded by Cllr. Joe Garrihy

Reply from Paudie Barry Executive Engineer West Clare MD

Clare County Council will arrange the carrying out of a design for flood alleviation works at Ballyvelleghan with a view to putting out the design to tender in 2024. Dredging of the Upper Fergus North of Ennis falls within the remit of the OPW. As part of this work Clare County Council will carry out a review of their drainage districts within the North Clare area.

Cllr Killeen was thankful for the response.

24. Notice of Motion from Cllr. Ian Lynch:

To ask West Clare MD and Road Design to install raised ramps at St. Senans National School and at Kilrush Community School on the R483 to protect high risk vulnerable road users.

The motion was seconded by Cllr. Cillian Murphy

Reply from Alan Kenneally Senior Executive Engineer West Clare MD

If the councillor wishes I will forward the request to install raised ramps to our colleagues in the Road Design Office to prepare a design. I believe that Kilrush Community School is registered with the *Safe Routes to School* Program administered by the Department of Transport *(as part of their Active Travel fund)* and An Taisce *(as part of their Green Schools initiative)*.

An Taisce publish a Safe Routes to School Design Guide which details technical guidance on design principles and considerations that allow for the design & installation of safer, calmer and more attractive routes to school & front of school environments. I would suggest that if either – or both – schools could secure *Safe Routes to School* funding then a far more attractive *(than raised ramps)* front of school solution might be arrived at.

Cllr Lynch appreciated the reply and requested if an immediate solution such as speed bumps could be installed to slow traffic down and make the road safer for School Wardens, pedestrians and all other road users.

25. Notice of Motion from Cllr. Ian Lynch:

That the West Clare MD/Road Design conduct a traffic management review for the Town of Kilrush. The review must take into consideration current approved HGV traffic routes, traffic management on the back road servicing both national schools and St Senans Church, the roundabout on Frances Street by Supervalu, the one way system from Vandeleur Street on the Griffin Road aswell as an update on previously requested speed controls measures for the Cappa Road, Island View John Paul Estate N67 approach roads from Killimer and Kilkee.

The motion was seconded by Cllr. Ian Lynch

Reply from Alan Kennelly Senior Executive Engineer West Clare MD

1. Traffic Management review for Kilrush.

Neither the West Clare MD nor our colleagues in the Road Design Office have plans to carry out a Traffic Management review for Kilrush. If such a review is to be undertaken it may well have to performed by consultants. A funding source will be required.

- 2. Update on speed control measures for
- •Cappa Road.

West Clare MD will erect repeater speed limit signage along the R473

•Island View.

No additional speed control measures are currently planned for the Island View housing development. Clare County Council will shortly conduct a review of housing developments where a 30kmh⁻¹ speed limit might be applied in accordance with 2019 bye-laws. This may result in the erection of safety signage being where the 30kmh⁻¹ speed limit is being applied.

•John Paul Estate.

As above.

•& N67 approach roads from Killimer and Kilkee.

West Clare MD had previously agreed to erect Driver Feedback Signs on the N67 approach roads to Kilrush from Killimer & Kilkee. A GMA contribution was agreed. For various reasons the signs have not been erected. If still required, West Clare MD can look into purchasing the requested signs.

Cllr Lynch appreciated the reply and called for a review of the traffic management plan for Kilrush to deal with the bottle necks in the town.

26. Notice of Motion from Cllr. Liam Grant:

Call on the West Clare MD to consider introducing a 30km periodic speed limits outside all schools in the MD like they have done in Wicklow County Council. I would be happy to support bye laws that would allow for this.

Reply from Anne O'Sullivan Senior Executive Engineer Transportation

Wicklow County Council introduced periodic special speed limits 20kph, 30kph & 50kph in 2023. These were introduced as part of a full speed limit review for the county which commenced in January 2021. This review was carried out in accordance with 'Guidelines for Setting and Managing Speed Limits in Ireland 2015' issued by the Department of Transport Tourism and Sport for the application of speed limits in Ireland.

A review of the speed limit process has been carried out by the Department of Transport and the resulting "Speed Limit Review Report " published in September 2023 has made recommendations that will impact the setting and application of speed limits. Consequently the initiation of any such speed limit review is considered premature until such a time as the Department of Transport issues new guidance documents on the application and setting of speed limits & legislation is enacted. Your request for the introduction of periodic speed limits at all schools will be considered as part of the next speed limit review.

TII in conjunction with Clare County Council are concluding site assessments for the introduction of periodic speed limits at three school locations on the national route network in County Clare, the N67 at Rineen NS, the N67 at New Quay NS and the N68 Caherea NS.

If it is considered that the speed limits at specific school locations are not set in accordance relevant guidance at the time a member of the public can submit a Speed Limit Appeal.

A number of Members spoke on this motion supporting the request to introduce periodic speed limits at national schools and villages in the county.

27.. Notice of Motion from Cllr. Joe Killeen:

We call on Clare County Council to fund a hedge cutting scheme along the main routes leading from the Motorway to the Cliffs and other tourist attractions in the interest of health and safety for resident road users and tourists alike.

The motion was seconded by Cllr. Liam Grant

Reply from John Leahy Senior Engineer Transportation

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

Notwithstanding the foregoing, it should be noted that the Council does provide a budget on an annual basis to facilitate hedgecutting along the most strategically important routes across the county. A verge cutting contract is carried out each year on the national secondary road network. In addition funding is

provided to Municipal Districts to carry out hedgecutting where there is a significant road safety issue. Additional funding for this programme has been sought for 2024.

A Community Hedgecutting Scheme is also operated by the Council which enables landowners and community groups to access funding to assist with the cutting of hedgerows. A total of 38 grant applications have been approved in 2022 under the scheme.

Cllr. Killeen referred to the Traffic & Transport Plan asked if this could be part of its 10 point plan. He asked if Clare County Council could carry out a survey to identify the most heavily traffic routes in North Clare and ensure that this work is carried out in advance of the 2024 summer season.

28. Any Other Business

The meeting then concluded.

Signed : Cllr. Ian Lynch Cathaoirleach

> John O'Malley Meetings Administrator

Dated : 16 January, 2024