

**Minutes of the May 2019 Meeting of the Municipal District of Ennis Committee,  
held at 10.30am on Tuesday 14<sup>th</sup> May, 2019,  
in the Council Chamber, Áras Contae an Chláir,  
New Road, Ennis, Co. Clare.**

**Present:**

**Councillors:** J. Breen, C. Colleran Molloy, A. Norton, P. Murphy, M. Howard, P. Daly, T. McNamara & J. Flynn.

**Officials:** Carmel Kirby, Director of Services, Eamon O’Dea, Senior Executive Engineer, Leonore O’Neill, Senior Executive Officer, Siobhan McNulty, Senior Executive Officer, Bernadette Haugh Meetings Administrator, Fiona Whelan, Staff Officer, Eugene Crimmins, Staff Officer and Sinead Armstrong Lynch A/ Assistant Staff Officer.

**Item No. 1. Minutes of the April, 2019 Meeting of the Municipal District of Ennis Committee Meeting held on Tuesday 9<sup>th</sup> April, 2019.**

*This item was proposed by Cllr. J Flynn, seconded by Cllr. A Norton and agreed by members.*

**Item No. 2. Matters Arising:**

The Members sought an update on the following:

- **Corrovorrin Junction:**

The Director advised that the Corrovorrin Junction is included in the Chief Executive Report as a priority for 2019.

- **Drumcliffe Graveyard:** concerns were raised regarding the slippery surface of the footpaths.

Leonore O’Neill, SEO advised that the condition of the Footpaths in Drumcliffe Graveyard will be raised with Rural Development.

- **Gort Leamhain, Roslevan:**

Status of the Bond Claim

**Cllr. J Flynn left the meeting while this item was being discussed**

Leonore O’Neill advised that the Tender Documents are being finalized by a QS appointed by Planning this week and it is hoped to have the contract works published on e-Tenders later this week. ESB are on site at present in respect of public lighting concerns.

- **Ballymacahill Cross:**

Eamon O’Dea advised that Ballymacahill Cross is in the Road Design schedule for 2019.

### **Item No. 3. Welcoming Mr. Michael Gubbins to his new role as Chief Superintendent**

The Chief Superintendent thanked the Elected Members for the invitation to the Ennis Municipal District Meeting. He advised of his interest in working with the local community and outlined his commitment to same through the assignment of 7 inspectors to Co. Clare, three of which are Ennis based with the remaining 4 assigned to Shannon, Ennistymon, Kilrush & Killaloe.

The Elected Members welcomed the Chief Superintendent to the Meeting and wished him every success in his new role. A number of concerns were brought to his attention as follows:

- Requirement for Gardai to get more involved in Community & Volunteer work in order to make their presence known and to connect with the Community;
- Issue of vagrancy in the town centre and loitering in various areas i.e. the Temple Gate Coach Park, O'Connell Square & Cathedral;
- Organised begging in the town centre. The Members called on the public not to give them money;
- Drug abuse & on-street alcohol consumption;
- The need for more foot patrols by uniformed Gardai on the Streets of the town;
- More stringent bail conditions for repeat offenders to limit their movements in certain areas of the town i.e. Dunnes Shopping Centre;
- Need for an Armed Response Unit for Shannon;
- Clarification as to whether the CCTV in Ennis can be monitored from the CCTV Room in Ennis Garda Station.

The Chief Superintendent in response to the concerns raised advised that there are a lot of new Gardaí assigned to Ennis Garda Station, which is good news for Ennis & its Environs. The new recruits will need time to settle in and they are approachable. He mentioned that collaboration is the corner stone of good community policing. While he wasn't in a position to respond to all the concerns raised he advised he would be meeting with his Senior Team and would bring all matters to their attention.

In response to the concerns regarding vagrancy, begging, drug and alcohol consumption on the streets he advised that a greater Garda presence on the streets is necessitated and it is hoped that additional clerical staff will free up Gardai to increase the level of foot patrols in the town. In response to the requirement for stringent bail conditions he undertook to raise this matter with the Court services.

In response to the requirement for an Armed Response Unit in Shannon, he advised that the Armed Response Unit is part of the Western Regional division which carries out regular patrols in Shannon.

In response to the CCTV query he advised that while 999 calls are routed through Galway they are immediately forwarded to Ennis to dispatch resources as required.

The Director on behalf of the Executive formally welcomed Chief Superintendent Gubbins to the County and wished him well in his role.

#### **Item No. 4. General Municipal Allocations Specific Projects**

The following Specific Projects submitted by the members of Ennis Municipal District for 2019 were presented to the Elected Members for consideration

<b>Councillors Specific Projects</b>	<b>Committed</b>
Ballyallia footpaths	€500
Banner GAA	€1800
Barefield defibrillator	€288.75
CallCara Initiative	€ 600
Clare Representative Five Nations Fly Fishing Championship	€250
Cloughleigh Community Centre	€500
Cloughleigh Sports Day & Easter Children Party	€506.25
Earth Route Trail Plan – Revision Plan	€838.75
Echos from a Civil War 1925 – 1929 book	€1000
Eire Óg Fashion Show	€450
Elevate	€500
Ennis Brass Band	€ 1297.75
Ennis Public Realm Collaboration with Ennis Tidy Towns	€1000
Ennis Tidy Town in association with LCETB	€1000
GortnaHabhanna green area	€500
Hermitage Ladies Soccer Club	€500
Hermitage Soccer Club for Boys	€500
Hermitage Soccer Club for Girls	€500
Holy Family School	€500
Holy Family School and Sensory Garden	€1750
Killone Abbey – Statue of St. John, Ballyea/Clarecastle Parish	€ 1658.75
Kilnamona Parish Church	€558.75
Kilmaley Meitheal- fit out new offices in Kilmaley GAA complex	€ 3500
Men’s Shed Cloughleigh	€750
Pedal it out for Mental Health cycle	€1079.14
Signage for Cloughleigh Community Centre	€500
The Junction Community Centre Intergenerational Garden	€750

It was proposed to reallocate €1800 to the Councillors Specific Projects fund to facilitate a shortfall in the proposed projects from the members.

#### **Community Projects:**

A final €200 was assigned to the Association of Nigerian Community on the basis of their application received on 28<sup>th</sup> January, 2019.

*This was proposed by Cllr. A Norton & Seconded by Cllr. M Howard and agreed by the Members.*

Consequently all funding available under the General Municipal Headings: Community Projects, Festival & Events and Councillor Specific Projects has been assigned for 2019.

**Item No. 5. Section 183 Exchange of lands at Drumbiggle, Ennis**

*This item was proposed by Cllr. M Howard and seconded by Cllr. A Norton and agreed by the Members*

**Item No. 6. Notices of Motion**

**No. 1 NOM submitted by Cllr. C. Colleran Molloy**

That Ennis Municipal District install signage in areas such as Ballybeg Road & other EMD areas where dog walking is frequent to pick up after their pets.

**Marie O'Neill SSO, Environment, replied as follows:**

Clare County Council currently have many signs and notices in the Ennis Municipal District (EMD) reminding dog owners of their responsibilities including picking up after their pets.

In addition, a hard hitting visual awareness campaign regarding dog fouling was launched last week by the Environment Section. As part of the campaign a graphic depiction (infographic) of the impacts of dog fouling was developed by Clare County Council's graphic design team with input from the Environment Section and the Communications Officer. This awareness campaign will highlight both health implications from dog fouling and also the importance of dog owner responsibility.

To date the social media awareness campaign has received 22,000+ views on Clare County Council's Facebook page with 2,341 engagements (including shares; likes, comments). This campaign has been very much supported by Tidy Towns groups across the county and many have shared Clare County Councils social media post to highlight dog owner responsibility in their community.

This infographic has also been used as a newspaper advert and to date has been printed on the Clare Echo (15,000 circulation) and County Express (20,000 circulation). The advert is also due to be printed on the Clare Champion (15,700 circulation) and The Clare People (11,000 circulation).

In recent years Clare County Council rolled out the Green Dog Walker (GDW) Campaign. This GDW initiative encourages dog owners to clean up after their animals and is a non-confrontational, friendly way to change dog owner behaviour in relation to dog litter. People can pledge to be a Green Dog Walker and receive a free pack. A Green Dog Walker pack contains a complimentary GDW high-vis vest, poop scoop bags and an information leaflet. It is a fantastic tool to help individuals and local community groups raise awareness in a positive way. Clare County Council provides GDW packs to community groups for free and will continue to support communities with rolling out this initiative in their own community.

To support the GDW a countywide enforcement campaign will take place where problem areas in relation to dog fouling will be targeted by Clare County Council's Waste Enforcement Unit. The public are advised that Environmental Enforcement Officers will be on the ground and will be asking people to demonstrate how they clean up after their dog. Poop scoop bags continue to be available free of charge at all Clare County Council Municipal District Offices including Ennis, Shannon, Kilrush, Ennistymon and Scariff.

In 2016 Clare County Council teamed up with the creators of internet animation series Sminky Shorts and launched an environmental initiative to change dog owner behaviour in relation to dog litter. This 80-second animated short highlights the responsibility of dog owners to clean up after their dog and features two cartoon pug dogs humorously conversing at the Cliffs of Moher. This clip was used as part of a cinema campaign at the Empire Movieplex, Ennis during 2016, 2017, 2018 and the Environment Section will run with this cinema campaign in 2019. This video clip has received 62,000 views to date on Clare County Council's Facebook page.

*The Members welcomed the detailed response provided and were very complimentary of the work of the Environment Team of Clare County Council in this regard. They also noted the huge amount of responsible dog owners and the few who are uncooperative in this regard. They favoured the provision of collection receptacles along commonly used dog walking routes and enhancing the "shame factor" through the media as a means of addressing this issue.*

#### **No. 2 NOM submitted by Cllr. M. Howard and seconded by Cllr. J Flynn**

Over the last 30 years Ennis Town Council requested town management, County Council, Government in general and Government departments to provide funding and plans to deal with the dereliction on the Watery Road. This dereliction has a serious negative impact on local residents to the point that Councillors of the old Ennis Town Council moved a very rare Section 140 motion directing the Town Manager to deal with the dereliction and turn the site back to a local amenity space. However nothing has happened. Nothing!

I request a costed achievable plan to deal with this dereliction as soon as possible.

#### **Leonore O'Neill SEO, replied as follows:**

Ennis Town Council received a Notice dated 5<sup>th</sup> November 2013 of the intention to propose a resolution, as provided for under Section 140 of the Local Government Act 2001.

The resolution proposed is as follows:

"Having regard to the powers, functions, and duties detailed in the Derelict Sites Act 1990 and the Local Government Sanitary Services Act 1964, this Council directs the Manager of Ennis Town Council force the owners of the derelict properties 2,3,4,5 Watery Road Ennis, in the charge of Clare County Council to no longer allow the properties to be derelict.

We request that

- Ownership of the site /properties is established
- The sites /properties are registered in Derelict Sites register.

- A derelict site notice is served on Clare County Council, who appear to be the owners of the above referenced site.
- A Derelict Site levy be calculated, backdated and charged to the owners”.

At a special Meeting of Ennis Town Council on the 19<sup>th</sup> November 2013 the members were notified that the Section 140 as presented was invalid. However, Ennis Town Council committed to undertaking the first five steps of the Derelict Sites Legislation as follows:

1. Complaint received and site inspected
2. Site deemed derelict – report (and photographs) with recommendation prepared
3. Open file
4. Prepare MO to serve Notice of Intention to make an entry on the Register i.e. Section 8(7) notice
5. Notice of Intention sent to owner with the lands clearly marked on map. Any person may, within 1 month of the date of the Notice, make representations in writing to the LA. It is recommended that the local authority should indicate to the owner the measures to be taken in order to prevent the property continuing to be a Derelict Site. This can be done by way of a separate letter to the owner, on a ‘without prejudice’ basis at this stage

These steps were undertaken by Ennis Town Council. A report dated 4<sup>th</sup> December 2013 was prepared by the then Assistant Planner & signed off by the Senior Executive Planner on 30<sup>th</sup> December 2013. The Planner concluded that a Section 8 (2) Notice under the Derelict Sites Act 1990 be served on the Housing Section of Clare Co. Council. This notice was prepared by Ennis Town Council and served on the Housing Section of Clare County Council on the 2<sup>nd</sup> January 2014.

At the meeting of Ennis Municipal District Council on the 9<sup>th</sup> April 2019, members were informed that Clare County Council is awaiting approval from the Department of Housing Planning and Local Government prior to awarding the contract for the refurbishment of 3 of the 4 properties on Watery Road to address current housing need for Traveller specific accommodation in this area.

*There was significant discussion on this particular matter and the Members considered seeking legal advice as to whether the Section 140 submitted to the then Ennis Town Manager by the then Ennis Town Council Members on 5<sup>th</sup> November 2013, was valid.*

*L O’Neill confirmed that the Section 140 as submitted was deemed invalid at the time however the Ennis Town Manager agreed to proceed with the spirit of the Section 140 and further committed to commencing the first 5 steps of the Derelict Sites Legislation, which were actioned thereafter. She further confirmed that the Section 140, as submitted, made no reference to the return of the site in question to an amenity area. The submission of a Section 140 on the basis of a signed resolution from at least 3 Elected Members is a Reserved Function of the full Council.*

*The Members then considered seeking legal advice as to whether the assignment of the 6 properties to traveller specific accommodation could be amended to include Social Housing. The Members were advised that the 6 properties are designated traveller specific accommodation in the Traveller Accommodation Programme which is currently on public*

*display until the 31<sup>st</sup> May 2019. Housing need is what informs the Traveller Accommodation Programme and it is a Reserved Function of the Members to adopt same. All the Members are welcome to input into the draft.*

*The Members then requested that Ennis MD confirm if this land, gifted by the then Bishop, legally stipulated its provision for the sole use of Traveller Accommodation. The Director confirmed the matter would be raised with the Property Management Unit. She also noted that Clare County Council has an obligation to provide accommodation for all citizens, where a housing need exists.*

**No. 3 NOM submitted by Cllr. A. Norton**

I would ask that the support of my Ennis Municipal District colleagues to consider an amendment to the Standing Orders once the incoming Ennis Municipal Council is in place (following the local elections) to convene all future meetings in the Civic Rooms at Buttermarket where the Ennis Municipal District Office is located and to amend the schedule of Ordinary Meetings to bimonthly.

**No response required**

*This item was not seconded*

**No. 4 NOM submitted by Cllr. J. Breen, seconded by Cllr. Colleran Molloy**

That signposts be erected on all roads leading into Ennis for the John O'Sullivan Complex at Lees Road.

**Eamon O'Dea SEE, Ennis MD, replied as follows:**

The Ennis MD will provide signs from the Cusack Road-Lahinch Road to the John O'Sullivan Park (Less Road Park and Amenity) as this would be the route for buses to the facility. The website for John O'Sullivan Park has a map attached that will give you directions to the facility.

**No. 5 NOM submitted by Cllr. J Flynn, seconded by Cllr. M Howard**

Ennis as Age Friendly Town - That the uneven and rough sections of footpaths at the Fairgreen (Tim Smythe Park) be resurfaced and that extra public lighting be provided as an improvement under actions for Ennis as an age friendly town.

**Eamon O'Dea SEE, Ennis MD, replied as follows:**

This was outlined to the Ennis MD Councillors prior to the April meeting as an amenity location that could be considered for use of the General Municipal Allocation capital funding for 2019. The decision on the expenditure of these monies is a matter for the elected members of Ennis Municipal District.

**No. 6 NOM submitted by Cllr. P. Murphy, seconded by Cllr. Colleran Molloy**

That the executive of Ennis Municipal District and Clare County Council's housing department would liaise together in considering a new entrance/exit and traffic calming i.e. ramps or rumble strips in Clarehill estate, Clarecastle. This could be done by providing a "straight run" into the estate, thereby improving health and safety for residents as the current double chicane is a hazard and threat to all concerned, particularly children.

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

The entrance to the Clarehill housing scheme was constructed with two ninety degree turns to stop traffic entering the scheme at speed thus providing traffic calming.

On a recent inspection it was noted that a large RV was parked partially on the footpath near the entrance, a semi abandoned car transporter was parked at the first 90 degree bend, other vehicles were parked in front of the houses with one wheel on the footpath and on the opposite side of the entrance road two vehicles were fully parked on the footpath obstructing pedestrians.

The Ennis MD Office has contacted the Environment & Housing Sections of the Council and will be contacting the Gardai regarding inappropriate parking near the entrance of the housing scheme.

**No. 7 NOM submitted by Cllr. P. Daly, seconded by Cllr. J Breen**

I request Ennis MD to upgrade the Turnpike road in particular from the traffic lights at Carmody Street to the roundabout at Upper Turnpike. The condition of this road is very poorly presently.

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

This road is in the Roadworks Programme for 2020.

**No. 8 NOM submitted by Cllr. C. Colleran Molloy, seconded by Cllr. J Breen**

That a electric pole be erected in the car park in Turnpike next to Walnut House.

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

The location at Mc Namara Park has been forwarded to the Council’s public lighting contractor to inspect the location and report on public lighting requirements and cost of provision of public lighting. There is no set budget in the Schedule of Municipal District works 2019 for the provision of public lighting.

**No. 9 NOM submitted by Cllr. M. Howard, seconded by Cllr. J Flynn**

Since being elected to both Ennis Town Council and Clare Co Co I have presented several motions asking this Council to deal with the traffic congestion at the Shanaway Rd and Lahinch Road intersection. A traffic control measure has to be identified as soon as possible as this intersection is an accident waiting to happen. There is huge frustration among the residents on the Shanaway Road who have no choice but to use this intersection many times throughout the day. I request an update on any progress.

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

The design has commenced and traffic counts completed. A submission will be forwarded to Transport Infrastructure Ireland (TII) by early part of Q3 of 2019. Subject to funding approval by the TII, the council will proceed with a public consultation and tender process.

**No. 10 NOM submitted by Cllr. A. Norton, seconded by Cllr. A Norton**

That the Roll of Honour currently in place in the Civic Room in Buttermarket be extended to include the current Ennis Municipal District Council 2014 – 2019, in recognition of the sitting Council’s tenure.

**Leonore O'Neill, SEO replied as follows:**

The Roll of Honour situated in the Civic Room in the Buttermarket Building relates to the former Ennis Town Council. As Ennis Town Council was abolished in 2014, it is not appropriate that the roll of honour be updated with membership of a municipal District Council. However, all Clare County Council elected members are honoured on the Roll of Honour in the reception area of Clare County Council headquarters, this will include all the members of Ennis Municipal District Council.

*Cllr. Norton welcomed the response by Leonore O'Neill, SEO. Cllr. Colleran Molly noted that it was important to emphasise that the Mayor was Mayor of Ennis Municipal District and not just Ennis Town and that perhaps Áras an Contae would be a more suitable location for recognition of the former Mayors tenure than the Civic Room.*

*Leonore O'Neill, SEO replied that this item could be further discussed by the Corporate Policy Group, who might provide an appropriate location for same and Cllr. Colleran Molloy agreed to raise the issue at the next CPG meeting.*

**No. 11 NOM submitted by Cllr. J. Flynn, seconded by Cllr. P Daly**

In light of complaints made to me (such as at Willow park, Pine grove, etc) on the Election canvas that Ennis MD require repairs to be carried out by Virgin Media to repair damage to; boundary walls; kerbs & footpaths and levels of road drainage to prevent water ponding.

**Eamon O'Dea SEE, Ennis MD, replied as follows:**

The Virgin Media road opening licences for Willow Park and Pine Grove are in the maintenance period and this maintenance period expires in 2020. Some of the localised ponding on the roads is being caused by the elimination of small gap between the asphalt surfacing and the kerbs that has occurred due to settlement. This gap permitted the discharge to ground of local ponding areas. The narrow broadband trench has been reinstated to the requirements of the guidelines for road openings thus eliminating the aforementioned gap between the asphalt surfacing and the kerb. The locations will be inspected by the Ennis MD Office with Virgin Media prior to the end of the maintenance period.

**No. 12 NOM submitted by Cllr. P. Murphy, seconded by Cllr. J Breen**

That the Senior Executive Engineer provides additional turning space at the T-junction at the end of the Skehanagh roundabout to Skehanagh/Killoo/Knocknamana link road as difficulty is being experienced by motorists, particularly at night-time. Also, that directional signage for Doora and Quin is also provided at this location.

**Eamon O'Dea SEE, Ennis MD, replied as follows:**

The T junction has chevron signs on the ditch indicating that traffic has to go right or left. The kerbing at the junction was adjusted previously to facilitate local traffic requirements. The Ennis MD will examine the road signage on the approach from Killoo and Clarecastle to the T junction and the approach to Skehanagh roundabout on the N85 in regard to signage for Quin & Doora.

**No. 13 NOM submitted by Cllr. J. Breen, seconded by Cllr. Colleran Molloy**

Since the 60km/h speed limit was installed on the N85 at Kilnamona, how many accidents have been reported

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

I have examined the accident data on the Road Safety Authority website up to 2013, the Pavement Management System up to 2015 and I have sought information from the Gardai for 2016 to 2018 for the section of the N85 at Kilnamona.

The Council sought and were given consent by the TII (NRA) to use a Section 10 Roads Act 2004 speed limit at road works to provide a 80kph and 60kph speed limit in an existing 100kph speed limit area. Consent for the Section 10 road works speed limit is sought each year by the Council from the TII and can only be used with the TII’s written consent as per Section 10(3) of the Roads Act 2004.

**Accident Data N85 2.7km section from Croughan to Rushain, Kilnamona**

Year	Fatal	Serious	Material Damage	Data Source
2012			1	RSA Website
2013			3	RSA Website
2014			4	Pavement Management System
2015			4	Pavement Management System
2016				Gardai
2017				Gardai
2018				Gardai

The speed limit on this section of the N85 will be 80kph following June 1<sup>st</sup> 2019 and the Ennis MD through the Transport Section of the Council are seeking approval for a Section 10 road works speed limit of 60kph along this section of the N85 from the TII (NRA) as the present order expires on May 31<sup>st</sup>

*Cllr. Breen noted that there had been very few accidents at this location and asked for the 60KM/PH to be maintained after the road realignment at this location. Eamon O’Dea, SEE noted that the issue of speed limits at this location is within the remit of the TII and that Clare County Council have no authority to impose speed limits at this location.*

**No. 14 NOM submitted by Cllr. P. Daly, seconded by Cllr. J Breen**

I have been asked by many daily walkers at Lee’s road for Ennis MD to put down some benches on the many walkways throughout Lee’s road.

**Eamon O’Dea SEE, Ennis MD, replied as follows:**

The request for additional benches on the walkways at John O’Sullivan Park (Lees Road Amenity Park) has been forwarded to Active Ennis for consideration when grants are being sought for improvements to the facility.

*This item was welcomed by members who all supported the need for seating at this location to assist the very young, elderly and infirm who may require a rest spot.*

### **Item No. 7. Correspondence**

- The Meetings Administrator outlined correspondence received from St. Anne's school inviting the members to visit and providing suggested dates. It was agreed to discuss the proposed visit after the Local Elections on May 24<sup>th</sup>, 2019 before confirming dates with the school.  
Cllr J Flynn asked that it be noted that he had recently made a submission on the Planning Application submitted by St Anne's School for Retention of the Fencing at this location.

### **Item No. 8. Any other business**

- The Members wished Cllr J Breen and Cllr T McNamara health & happiness on their upcoming retirement from Clare County Council & Ennis Municipal District and thanked them for their outstanding commitment to their constituents in Ennis Municipal District & County Clare
- All the Elected Members wished their fellow Members success in the upcoming Local Elections on the 24<sup>th</sup> May and thanked them for their friendship and support over the past 5 years in Ennis Municipal District.
- The Members all thanked the Staff & Executive of the Ennis Municipal District for their support and assistance over the lifetime of the sitting Ennis Municipal District Council.
- The local media were also thanked for continuing to cover local politics.
- Cllr J Breen and Cllr T McNamara wished each other well in their respective retirements. They also extended their thanks to the Ennis Municipal District Members and Staff.
- The Director thanked all the Elected Members for their combined efforts over the last 5 years and for bringing the issues and concerns of their constituents forward to the Executive for their attention. She congratulated them on representing their respective Communities so well.