

**Minutes of the March 2022  
Meeting of the Municipal District of Ennis,  
held online at 10:45am on Tuesday 1<sup>st</sup> March 2022**

**Councillors:** A. Norton, P. Daly, P. Murphy, M. Howard, C. Colleran-Molloy, J. Flynn, M. Nestor

**Officials:** Carmel Kirby, Director of Services, Leonore O'Neill, Senior Executive Officer, Barry Conway A/Senior Executive Engineer, Niamh O'Connor, Administrative Officer & Meetings Administrator, John Leahy (SE) for Item 4, John Gannon (SEE), Siobhan McNulty (SEE) for Item 4, Lily McNerney Staff Officer.

**Apologies:** None.

Chair, Cllr. A. Norton, opened the meeting and raised the current situation in the Ukraine. Members joined the Mayor in condemning the Russian invasion of Ukraine. Cllr. Howard updated on the efforts of the Ennis Polish community who are arranging a collection of goods for a truck convoy to be delivered to assist Ukrainian refugees.

**Item No. 1. Minutes of the February 2021 Meeting of Municipal District of Ennis held on 1<sup>st</sup> February 2022**

*This item was proposed by Cllr. C. Colleran-Molloy, seconded by Cllr. M. Howard and agreed by all Members.*

**Item No. 2. Matters Arising**

- (i) Cllr Colleran-Molloy referenced February Notice of Motion No. 4 and requested an update on whether the Clareabbey Taskforce group would reconvene. Leonore O'Neill responded that she is awaiting confirmation from OPW regarding convening an in-person meeting.
- (ii) Cllr Flynn issued a reminder on the awaited upgrades of footpaths in Ballyallia as surfaces are uneven and in need of repair.
- (iii) Cllr Howard requested an update on Notice of Motion No. 1 proposing a "Learn to Cycle" Track in Lees Road. An update will be provided at April meeting.
- (iv) Cllr Howard requested an update on costings for review and audit of Ennis historic town signage. An update will be provided at April Meeting.

**Item No. 3. (i) Section 38 Proposed controlled crossing at Clare Road (R458)/St. Flannan's College, Ennis (ref. 13-057)**

Report and map circulated in advance of meeting.

*This item was proposed by Cllr. M Howard, seconded by Cllr. P. Daly and agreed by all Members.*

## **(ii) GMA 2022**

1.	St. Joseph's Terrace – public lighting	€3,000
2.	Festival Events Coordinator	€20,000
3.	Easter 2022 Commemorative Piping Festival Blackie O Connell of the Clare group “ Piping Heaven Piping Hell”	€3,000
4.	Ennis Track Team: contribution towards travel costs for participation in European Under 20's Mens team	€2,500

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

## **Item No. 4. Schedule of Municipal District Works 2022**

John Leahy, Senior Engineer, presented Members with the Schedule (“SMDW”) for 2022. The €48,361,374 funding allocation for Clare is a substantial increase on 2021's €34.5m. He highlighted that the Active Travel allocations are captured this year in the NTA allocation of €5,982,840. Own Resources at €1,563,170 represents a €250k increase and Irish Public bodies Mutual Insurance is down by €200k.

John Leahy presented the points of relevance for Ennis Municipal District to Members and recommended adoption of the SMDW.

The following points of clarity were provided to Members by John Leahy and John Gannon SEE:

- Active Travel is a 5-year rolling programme of projects from design to completion. A significant portion of Clare's allocation €5.3m is assigned to Ennis at €1.5m. A number of projects continue to be advanced from last year: bridge design, cycle lanes, mobility plan for Ennis, park & stride, co-creating, safe to school projects.
- Public Lighting, €1.6m relates to energy and maintenance costs of the existing network, no funding available for new works in this allocation. The cost for new public lighting is included in the active travel allocations where possible for projects such as upgrades of footpaths/walkways/cycle lanes
- Design costs for Droichead na Gabhair bridge is included in the active travel allocation.
- Park & Ride is an important element of Active Travel and consideration is being given to how this facility would influence future development of the town.
- Cycle lanes for Ennis are concept and design stage. Consultants are to progress the projects to detailed design stage, which will then need to go to the NTA and TII for agreement and approval.

*This item was proposed by Cllr. C. Colleran-Molloy, seconded by Cllr P. Murphy and agreed by all Members.*

## **Item No. 5. Notices of Motions**

### **No. 1 Notice of Motion submitted by Cllr. C. Colleran-Molloy**

With respect to the Ennis National School Walking Bus from the West Point Retail Park, that the legal advices be shared with the Members of the Ennis Municipal District as to why Clare County Council Planning Department "... do not, at this time, intend to pursue this matter from a planning enforcement perspective."

#### ***Gareth Ruane, Executive Planner, responded as follows:***

*The Planning Authority cannot comment publicly on any enforcement matters under investigation so as not to prejudice any particular outcome or decision. In general for enforcement files, any legal advice received is written in contemplation of legal proceedings and as such is legally privileged. For this reason therefore, the Planning Authority cannot provide a detailed response in respect of this motion or cannot provide a copy of any legal advice received.*

*This item was seconded by Cllr. A. Norton and agreed by all Members*

Cllr Colleran-Molloy stated that a planning condition that is not enforceable presents a difficulty for her as an elected representative. Members reiterated that this condition is a key element of the planning permission and must be enforceable. Cllr Norton confirmed that a meeting has been arranged with the Principal and the Board of Management to explore alternative options for the 'Walking Bus'.

### **No. 2 Notice of Motion submitted by Cllr. A. Norton**

Can I ask my colleagues to agree that the Ennis Track Team that won the European Under 20 Men's Team are honoured in a Mayor's reception by the Ennis MD.

#### **No Response Required.**

*This item was seconded by Cllr. C. Colleran-Molloy and agreed by all Members.*

Cllr Norton commended the achievement of the Ennis mens track team. Cllr Murphy, in support, also recommended honouring other athletes such as Ethan Coughlan and Tony Butler in the Irish U20 rugby team, Alannah McInerney - womens rugby. Cllrs Daly, Howard and Flynn supported this motion.

### **No. 3 Notice of Motion submitted by Cllr. M. Nestor**

This Motion is requesting Clare County Council to repaint the markings for the car parking spaces outside Drumcliffe Cemetery as they have become quite faded.

#### ***Barry Conway, A/Senior Executive Engineer, responded as follows:***

*These marking will be assessed and included in this year's schedule of works if necessary.*

*This item was seconded by Cllr. C. Colleran-Molloy and agreed by all Members.*

The response was acknowledged by Cllr. Nestor. Cllrs Howard and Flynn also voiced support for this Motion adding that this would further enhance the maintenance works recently undertaken by the Council in both these graveyards.

#### **No. 4 Notice of Motion submitted by Cllr. M. Howard**

I request that an audit is undertaken of our public spaces, commencing with the Fairgreen and Lees Road. This audit should focus on lighting levels, footpath conditions and hedgerow maintenance. In light of recent events I believe it is important to ensure our public spaces/ physical environment are safe. (As per <https://unhabitat.org/womens-safety-audit-what-works-and-where>).

**Siobhan McNulty, Senior Executive Engineer, responded as follows:**

*The team at Active Ennis with our MD and gardening section colleagues inspect facilities regularly to ensure they are maintained at optimum standard.*

*The facilities were reviewed again following this motion and the following is the report:*

##### **Tim Smythe Park**

**Pathways** - upgrades as funding under the ORIS fund are complete. There is a section of pathway near the grotto and De Valera statue that needs to be upgraded once funding can be secured for same.

**Lighting** – the lighting around perimeter is sufficient. Future lighting upgrades will focus on internal locations within the park again once funding is secured for such works.

**Hedgerows** – the gardening section maintain the planting in the park. It is desirable to upgrade the planting scheme to include for greater biodiversity.

**Street Furniture** – it is desirable as funding allows to replace the existing iron benches and picnic tables

##### **Lees Road**

**Pathways** – works have just been completed today on a number of areas in the woodland where there were issues with pooling water. Other areas will be addressed on a phased basis but the worst affected areas have been addressed. We have costed the installation of a path from the cycle way to the entrance of the woods and will look to deliver this within our current maintenance budget.

**Lighting** – lighting is considered sufficient for the usage. Currently costing an upgrade of the floodlights to LED's.

**Hedgerows** – vegetation along pathways in woodland cut back during growing season. No interventions taken beyond that.

**Street Furniture** = 6 new bench seats have been installed in the park (2 in the open area, 4 in the woods)

*At all times the team work within available budgets to incrementally upgrade the facilities however larger projects require specific funding sources and external specialist support.*

*In particular there are calls for additional lighting within facilities likely additional lighting will require Part VIII planning permission and the impact of lighting upgrades must be considered with regard to the impact on wildlife and the environment.*

*This item was seconded by Cllr. Coleran-Molloy and agreed by all Members.*

Cllr Howard, in acknowledging the response, raised the issue of public (and particularly womens) safety and that every measure should be taken by the local authority to ensure as far as practicable that public spaces are maintained and well lit. She also commended the addition of seating at the rugby pitch at Lees road. Cllrs Flynn and Daly supported this Motion adding that areas such as Steele's Terrace, St. Senan's Road and the pathway around the De Valera statue would benefit from improved lighting and maintenance.

## **No. 5 Notice of Motion submitted by Cllr. P. Murphy**

Re St. Flannan's Terrace Backlane L-8714-0:

Subsequent to representations from a number of residents of St. Flannan's Terrace, I am requesting (i) that advice is given on how to initiate a process whereby this laneway can be named properly (it is known locally as "The Laneway" and "The Car Road"), and (ii) that it be considered for inclusion in the forthcoming Schedule of Municipal District Roadworks.

### ***Leonore O'Neill responded as follows:***

*(i) The process for changing a road name is provided for under Section 196 of the Local Government Act 2001. The process involves all Members firstly agreeing to the proposal. If all are in agreement, there follows a public consultation period with submissions facilitated. A Report on the submissions, and a recommendation, must then be presented to Members of the Municipal District for final approval/agreement.*

### ***Barry Conway, A/Senior Executive Engineer, responded as follows:***

*(ii) The laneway will be assessed to determine what works are required and included in a works programme as necessary.*

*This item was seconded by Cllr A. Norton and agreed by all Members.*

Cllr. Murphy acknowledged the responses. He clarified that the first element of the motion was about naming, rather than renaming. This road was never given a proper name and was historically referred to by locals as the 'car road'. He welcomed the public consultation that would now take place.

## **No. 6 Notice of Motion submitted by Cllr. J. Flynn**

That Ennis Municipal District request an investigation be carried out by An Garda, Revenue and other State Agencies on what appears to be organised street begging in Ennis.

### ***Leonore O'Neill, Senior Executive Officer, responded as follows:***

*Ennis Municipal District does not have authority to instruct or advise another State agency on the particulars of how to carry out that agency's role. It is open to any member of the public to file a complaint with An Garda Siochana or to raise an issue with the Joint Policing Committee.*

*This item was seconded by Cllr. C. Collieran-Molloy and agreed by all Members.*

Cllr Flynn stressed that whilst Ennis is known as one of the safest and friendliest towns in Ireland, the increased presence of organised professional beggars is negatively impacting local life as well as the tourist trade. Most members added support for this motion. While the work of the Gardai was commended, they reiterated the matter needed urgent investigation.

## **No. 7 Notice of Motion submitted by Cllr. P. Daly**

I ask Ennis MD to arrange for upgrading of the road from St. Flannan's College roundabout to Clareabbey roundabout.

### **Barry Conway, A/Senior Executive Engineer, responded as follows:**

*The R-458 between St Flannans roundabout and Clareabbey roundabout has been included in the 2022 Schedule of Municipal District Works for resurfacing.*

*This item was seconded by Cllr. J. Flynn and agreed by all Members.*

Cllr Daly welcomed the response . Cllrs Murphy, Collieran-Molloy and Flynn commended and strongly supported this motion.

## **No. 8 Notice of Motion submitted by Cllr C. Collieran-Molloy**

That the feasibility of continuing the footpath on the Kilrush Road to Ballybeg Road be undertaken so that it extends westward to the entrance to Edenvale.

### **Barry Conway, A/Senior Executive Engineer, responded as follows:**

*Edenvale is a development of six houses 300m to the west of Rockmount Cross on the N68, Kilrush Road. The development is not in the charge of Clare County Council. The MD office will consult with the road design office to determine if it is feasible to extend the existing footpath network to this point. If it is deemed to be feasible, a suitable funding stream will need to be identified to carry out this work.*

*This Motion was seconded by Cllr. A. Norton and agreed by all Members.*

Cllr Collieran-Molloy acknowledged the response adding that the footpath extension would be a valuable asset for the area. Cllr Norton voiced support for this motion.

## **No. 9 Notice of Motion submitted by Cllr. A. Norton**

That the Ennis MD write to all of the schools to be conscious of the Conscious Cup Campaign now that the schools are back and we do our bit for the environment.

### **Karen Foley, Environmental Awareness Officer, responded as follows:**

*Single use takeaway packaging is a huge source of littering across the county - takeaway tea/coffee cups, ice-cream cups, aluminium cans, fizzy drink plastic bottles, sandwich/roll wrappings of all types etc.*

*The conscious cup campaign (Web link: [About conscious cup](#)) has a specific focus on single use coffee/tea cups and "encourage cafes to reward conscious consumers for carrying their own cup through incentives and are delighted to promote and map those Conscious Cafes". There appears to be six businesses participating in the Ennis MD area - [Cafe map \(consciouscup.ie\)](#) .*

*This is a campaign that is supported and promoted through the Greener Clare waste prevention programme. Businesses, providing takeaway tea/coffee cups, are encouraged to participate and Tidy Towns groups can also play leading role by encouraging local business participation.*

*In terms of addressing single use with students in primary and secondary level schools the preferable route is to encourage and support active participation in the An Taisce Green Schools programme. If the schools are actively involved, they address single use (waste prevention) as part of the programme both in the school and wider community. For more information on the Green Schools programme visit: [About – Green-Schools \(greenschoolsireland.org\)](http://About – Green-Schools (greenschoolsireland.org)).*

*This item was seconded by Cllr. C. Colleran-Molloy and agreed by all Members.*

Cllr Norton advised that as workplaces are open again and schools in full attendance, this environmental concept is becoming more relevant. Cllr Colleran-Molloy supported this motion.

#### **No. 10 Notice of Motion submitted by Cllr. M. Nestor**

This Motion is requesting Clare County Council to carry out the following works at Gordon Drive, Cloughleigh:

- (a) that the existing speed ramp in the area be replaced.
- (b) that additional “Slow Down” and “Children at Play” road signage be erected in the area.

***Barry Conway, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will carry out a road safety assessment in Gordan Drive giving consideration to all signage, speed ramps and line marking. Any necessary repairs will be included in this year’s SMDW.*

*This item was seconded by Cllr. P. Daly and agreed by all Members.*

Cllr Nestor drew attention to the increase in traffic on this road, to access the Astro turf pitch, as well as an increase in speeding. He strongly recommended the works be undertaken to remedy the situation. Cllr. Daly voiced support making reference to the high population of Gordon Drive. Cllrs Colleran-Molloy, Howard and Norton also strongly supported this motion.

#### **No. 11 Notice of Motion submitted by Cllr. M. Howard**

Pedestrian Crossing

I request that Ennis MD consider installing a pedestrian crossing from Clon Road to Ennis Train / Bus Station.

***Barry Conway, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will examine the feasibility of a pedestrian crossing at this location with the road design section. There are currently four pedestrian crossings on Clon Road between St Michaels Villas and Francis Street. The improvement of the route between the Bus Station and the town centre is also currently being considered in the context of the Ennis Town Mobility Plan.*

*This item was seconded by Cllr. Colleran-Molloy and agreed by all Members.*

Cllr Howard highlighted a) the difficulty for pedestrians along this route, b) that the crossing at Station Road was not effective due to the volume of traffic. She would welcome the referenced feasibility study by the road design team. Cllr Colleran-Molloy, in support, recommended the feasibility study include areas other than Clon Road. Cllr Flynn voiced support for this motion.

Barry Conway, A/SEE, clarified that the context for all proposed pedestrian crossings was contained in the draft Ennis Town Mobility Plan.

### **No. 12 Notice of Motion submitted by Cllr. P. Murphy**

Schedule of Municipal District Works and Active Travel issues in Ballybeg:

I am requesting that,

(i) Completion of the unfinished footpath adjacent to the old quarry on Ballybeg hill and on as far as property V95 DPN0 is prioritised and included in this year's programme (and that any drainage issues impacting on residential dwellings are dealt with).

(ii) That lighting is provided as soon as possible as the ducting is already in place along most of the road.

(iii) That "Walshe's road is resurfaced as it's presently in a poor state of repair.

(iv) That Active Travel funding is applied for in order to provide footpaths from Ballybeg road to Silvergrove estate and Killone Grove.

(v) That Active Travel funding is applied for in order to providing safe passage for pedestrians at the stream crossing in Lower Ballybeg.

#### **Barry Conway, A/Senior Executive Engineer, responded as follows:**

*(i) Funding has been provided for this section of footpath in the 2022 Active Travel allocation. Work is scheduled to commence here in Q3 2022.*

*(ii) Due to the proximity of the road to the Ballybeg Woods, there is a requirement to carry out a bat survey this spring. On completion of the survey, appropriately designed public lighting will be installed on the route.*

*(iii) The L-8364 is included in the 2022 schedule of MD works for Restoration Improvement*

*(iv) Ennis MD will consider this proposal along with the road design section in future Active Travel funding applications*

*(v) Ennis MD will consider this proposal along with the road design section in future Active Travel funding applications*

*This item was seconded by Cllr. A. Norton and agreed by all Members.*

Following a request for clarity, Barry Conway A/SEE, confirmed re item (ii) that funding for public lighting is secured from Kilrush Road Rockmount as far as the Water Tower, as well as to the end of the new footpath and this lighting will be done once the bat survey is complete. Cllr Murphy acknowledged the works already undertaken under the stewardship of the A/SEE and commended Donal Healy's team for their efforts. Cllr Colleran-Molloy commended Cllr Murphy for this Notice of Motion and she highlighted the remarkable progress to date.

### **No. 13 Notice of Motion submitted by Cllr. J. Flynn**

To assist the Ennis Councillors in the preparation of the Ennis volume of County Development Plan that Ennis Municipal District invite the Retailers of Ennis group ( e.g. a retail representatives from each street ) to give a related 20 to 30 minute presentation at the next Ennis MD meeting of their vision street by street.

***Gareth Ruane, A/Senior Planner, Planning Department responded as follows:***

*The Planning Authority recently held consultation events on the Draft Development Plan which were open to all members of the public to attend, in Ennis and other areas of the county.*

*In addition there will be a public consultation stall as part of the St Patricks Day festival.*

*We are currently accepting written submissions on the draft Plan up to the 28<sup>th</sup> of March and it is considered that this would be the most appropriate mechanism for the 'Retailers of Ennis' group, or any other group, to make a formal submission and outline their points to us.*

*All submissions will be considered as part of the Managers Report on the Plan.*

***Leonore O'Neill, Senior Executive Officer, Ennis MD responded as follows:***

*In considering the Notice of Motion, Councillors need to be aware of the equity of facilitating a meeting with one particular group and not other interest groups.*

Cllr. J. Flynn acknowledged the response and reminded the meeting of the 40% contribution by rate-payers to Clare County Council's budget and their voices should be heard. He urged Members to actively encourage communities to engage with the County Development Plan consultation process.

### **No. 14 Notice of Motion submitted by Cllr. P. Daly**

I request Ennis MD to arrange for the cleaning up of the river outlet at the back of Hazelgrove estate, Roslevan, cross the Ballymacahill Road finishing on the main Tulla Road (Close by Dinan's and O'Keefe's residences).

***Barry Conway, A/Senior Executive Engineer, responded as follows:***

*Ennis MD will assess this portion of drainage to determine if works are required and the appropriate course of action. This drains/rivers referred to are not part of the Fergus Drainage district which Clare County Council is responsible for the maintenance of.*

*This item was seconded by Cllr. J. Flynn and agreed by all Members.*

Cllr Daly acknowledged the response and highlighted the need for the cleaning operation to be done regardless of whether it is part of the Fergus Drainage district. Cllr Flynn voiced support for this Motion.

### **Item No. 6 Correspondence**

An email from Jim Dempsey (Business Development Manager, Irish Rail), responding to an email sent from the EMD in relation to issues raised around cleanliness and maintenance of Ennis train/bus station was read out at the meeting.

**Item No. 7    Any Other Business**

- (i) Clarity was sought by Cllr Colleran-Molloy on progress re double yellow lines to prevent inappropriate parking at entrance to Ballybeg Woods. Barry Conway confirmed that the draft is to go for Garda approval before being added to the Schedule of Municipal District Works.
- (ii) Members joined Cllr Daly in extending sympathy to the family of the late John O'Halloran, a former President of Éire Óg. May he rest in peace.
- (iii) Members joined Cllr Colleran-Molloy in extending sympathy to the family of the late Fiona Gallery-Howard. May she rest in peace.
- (iv) Cllr Norton reminded Members that St. Patrick's Day is fast approaching and she asked Members to encourage as much community involvement as possible for the festival.

The Meeting ended at 13:20pm.

Signed: \_\_\_\_\_  
Mayor of Ennis

Signed: \_\_\_\_\_  
Meetings Administrator

Date: \_\_\_\_\_