

Minutes of November Meeting of West Clare Municipal District held on 17th November, 2015 at 4.00p.m. at ESB Moneypoint , Co. Clare.

Cathaoirleach sa Cathair:

Cllr. C. Curtin,

I Láthair:

Cllr. R. Nagle, Cllr. I. Lynch, Cllr. B. Chambers, Cllr. G. Keating, Cllr. B. Slattery

Apologies:

Cllr. P.J.Kelly, Cllr. M. Hillery.

Officials present:

Ms. A. Haugh, Area Co-Ordinator & Director of Service,

Mr. P. McElwee, Head of Enterprise

Mr. C. Feeney, A/Senior Executive Engineer ,West Clare Municipal District

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

1. Minutes of Meeting of West Clare Municipal District held on 15th September 2015

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

Cllr. Curtin looked for an update on Scatterry Island. A. Haugh indicated that a meeting had taken place in October which was attended by the OPW as well as representatives of the Scatterry Island Working Group including Cllrs Keating & Lynch. She advised that the OPW agreed to preparing a Conservation & Mgt Plan for the island which they would forward to Clare Co Council for input. The OPW also agreed to liaise with Failte Ireland to look at the tourism potential of the island. It was also agreed that Clare Co Council would look at improving the signage & it was indicated that Clare Co Council were presently looking at preparing a signage strategy for Kilrush which would incorporate all signage including tourism signage.

Cllr. Slattery mentioned the motion he raised at Sept mtg re dredging of the Old Pier in Doolin as he indicated that Doolin Rescue can't get boat to launch at low tide. C. Feeney indicated that he had spoken with Coast Guard head office re this matter & that they had indicated that this was not an issue except in low low tide and that they hadn't requested that works would be carried out. He added that Coast Guard would come back to him if they felt that this was an issue in the future. He further added that no resources were available to carry out this work & even if there was funding that works would require Foreshore licence, relevant assessments, environment & marine reports etc. C. Feeney

further indicated that this was never raised with him in the past even when the new coastguard building was being constructed. It was agreed that Cllr. Slattery would update Doolin Rescue accordingly.

Cllr. Curtin looked for an update on Blakes Corner. A. Haugh confirmed that it was agreed that briefing would be held before the end of the year where the proposed design going forward for Part 8 could be discussed & it was agreed that J. Corry would liaise with members re holding same.

Cllr. Keating confirmed that he was very happy that works had recommenced on the Kilkee Strandline wall.

2. Presentation on Local Enterprise Office from Padraic McElwee, Head of Enterprise

P. McElwee introduced himself as head of the Enterprise Office. He indicated that they were the first point of call for micro businesses setting up. He said that their role was to create jobs in Co. Clare. He added that there was a team of 4 in the Enterprise Office. He said communication of the Enterprise Office being open was very important. He added that he was working with UL & with secondary schools. He mentioned the various grants that were available ie Priming Grants, Business Expansion Grants & Feasibility Innovation Grants. He said one of the biggest challenges to setting up new businesses was a fear of setting up businesses. He mentioned that they provide mentoring & training. He added that they were looking for a 25% year on year growth in net jobs & trying to be seen as worthwhile by the public. He added that some of their achievements in the year to September were: 16 enterprises grant aided, 72 enterprises mentored, 355 participants at training courses, €464k approved in grants & 11 microfinances approved & he mentioned that they were the 4th highest LEO for job creation nationally.

The members thanked Mr. McElwee for his presentation & complimented him on the great work that was being carried out by his office. It was suggested that he would update the members a couple of times a year with regard to progress.

3. Nomination of representative to Rural Water Monitoring Committee

Cllr. Chambers was proposed as the rep to this committee by Cllr. Nagle & seconded by Cllr. Keating.

4. Part 8 Killimer rd entrance to Vandeleur Walled Gardens

C. Feeney advised that the works were proposed to accommodate large coaches in accessing the Vandeleur Walled Gardens. It was proposed by Cllr. Lynch & seconded by Cllr. Keating that Part 8 would go before Clare Co Council at their next meeting.

5. Notice of Motion submitted by Cllr. Lynch

“That this Municipal District request that the Minister for Jobs, Enterprise and Innovation to immediately commission and complete by year end, a detailed report to identify target industries for job creation for the West Clare area, and through the IDA commence an aggressive direct marketing strategy at potential key companies within the industries identified within the report, to secure sustainable jobs for the area.”

This Motion was seconded by Cllr. Keating & agreed

6. Notice of Motion submitted by Cllr. Lynch

“That this Municipal District would work with community employment scheme and FAS to repair the stone facing, that was removed by recent storms, from the sea wall along the scenic estuary walk at Cappa ”

This Motion was seconded by Cllr. Chambers

Reply

We have no issue working with community employment schemes who provide valuable work experience in a variety of different crafts and trades. We have contributed to such schemes in the past which have greatly benefitted the local community and look forward to working with these groups in the future.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

Cllr. Lynch thanked C. Feeney for his response. C. Feeney added that this damage occurred in 2014 & that the wall was of sound construction.

7. Notice of Motion submitted by Cllr. Lynch

“That this municipal district would assist and support the development of an indoor sports facility as part of the Kilrush Sports Complex on the Cooraclare Road “

This Motion was seconded by Cllr. Chambers

Reply:

The Active Kilrush Sports Complex includes a state of the art Astroturf facility, a GAA grass pitch and a grass soccer pitch, running track and dressing room facilities. The site is leased from the Department of Education and the ESB and the planned development of the site includes:

- 1. Phase 1 Astroturf facility (complete)*
- 2. Phase 2 upgrading of grass pitches*
- 3. Phase 3 Provision of Dressing rooms & Ancillary facilities*

The roll-out of phase 2 is the next planned phase of the development and is currently under consideration.

With regard to the proposed provision of indoor facilities, a review of existing indoor facilities available in Kilrush would need to be undertaken and the extent of the need for such facilities would need to be assessed. The planned phase 3 development would also need to be considered.

These proposals would require significant capital investment.

Response Ends

Monica Meehan, SEO, Tourism & Community Development

Cllr. Lynch advised that the provision of an indoor sports facility would greatly enhance Kilrush Sports complex as there was a great demand for same.

8. Notice of Motion submitted by Cllr. Keating

“That Clare Co Council would update the members on discussions with Irish Water regarding the provision of a water supply to the flagship tourist attraction that is Loophead Lighthouse”

This Motion was seconded by Cllr. Nagle

Reply:

There is no water mains supply or sewer network to Loophead Lighthouse. The nearest water supply is a 100mm diameter Group Scheme connected to the Council Loop Head scheme and is approximately 1.7km from the Lighthouse. The cost to extend this water main to the Lighthouse would be in the order of €130,000 (Council estimate in 2013) .In addition if the required sewerage treatment facility was to be also provided the additional cost would be of the order of €50,000. However this would be subject to additional environmental approval.

Representations have been made to Irish Water in respect of this infrastructure and the response has been as follows:

“Irish Water are currently operating a Business as Usual approach to the provision of water and waste water connection services and in that regard, the cost of the physical connection of a premises or property to Irish Water’s Networks. Where a schedule of connection fees existed in a Local Authority, then these fees will be applied as they were on the 31st December 2013. However where it is deemed that the connection fee will not cover the cost of the works, Irish Water reserves the right to charge a fee based on the cost of the actual work carried out.

Should you require a connection quotation for the provision of water and or waste water connections, please feel free to contact me as per my details below and I will arrange to meet with you in respect of the provision of this quotation for the required connections.”

The Council has received a Pre Connection Enquiry Application Form from Irish Water but has not submitted a request for quotation at this point as it is clear that a significant cost will arise in providing such infrastructure and in the absence of capital funding at this point it is not possible to progress.

Response Ends

Gerard Dollard, Director of Service

Cllr. Keating indicated that in 2015 that there were up to 30k visitors to Loop Head Lighthouse & over 40 people were employed there & that it was essential that they had water & sewerage services.

The following resolution was then proposed by Cllr. Keating & agreed by the members:

“That this West Clare Municipal District write to Irish Water & Clare Co Council to inform them of the urgency of a watermains & sewerage network to Loophead Lighthouse”

9. Notice of Motion submitted by Cllr. Keating

“That Clare Co Council provide an update on the provision of the new boat/pleasure craft entrance to Kilkee Slipway/Pier ”

This Motion was seconded by Cllr. Lynch

Reply:

We have held a number of discussions with the various stakeholders including Kilkee Development Association. A deputation of the various stakeholders who use the pier and slipway facility also met with the West Clare Municipal District Councillors on Monday the 16th November. Having listened to the various opinions and viewpoints the Councillors endorsed the decision to proceed with the project.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

C. Feeney further advised the members that he intended to commence the works tomorrow & that he wouldn't block any right of way by putting down the proposed bollards until legal clarification provided that no right of way existed. It was agreed that the members would be kept updated on developments.

10. Notice of Motion submitted by Cllr. Keating

“To request Clare Co Council to review the current pedestrian access arrangements at the Cliffs of Moher Visitor Centre with a view to investigating the feasibility of the development of an underpath subway entrance in the interest of traffic & pedestrian safety”

This Motion was seconded by Cllr. Slattery

Reply:

The Council would have considered the provision of an underpass during the construction phase of the visitor centre at the Cliffs of Moher. Any underpass would require a significant land take on either side of the road to allow the necessary slopes to construct such an underpass. The undertaking of subterranean works would also require a full environmental assessment. In the event that such an underpass was technically feasible it would represent a major engineering project with significant disturbance to large areas of land on both sides of the road.

The arrangements in place have worked satisfactorily since the centre opened in 2007. Further improvements to the road layout e.g removal of traffic islands was undertaken in 2015.

Response Ends

Gerard Dollard, Director of Service

Cllr. Slattery sought clarity on the ownership of the car park. He said he was seeking clarity as to why someone would be investing in a Park & Ride facility to the Cliffs of Moher if the car park at the Cliffs of Moher was going to continue to be used by Clare Co Council. A. Haugh confirmed that she would seek clarification from Ger Dollard on the matter as the Cliffs of Moher were part of his Directorate.

At this stage it was two hours since the meeting commenced so it was proposed by Cllr. Slattery & seconded by Cllr Lynch & agreed that the meeting would be extended by half an hour to complete the business of the meeting.

11. Notice of Motion submitted by Cllr. Slattery

“Given the significant amount of illegal encampments which have taken place in Cragg beach this summer and in previous summers, I am calling on the Senior Executive Engineer to put in place permanent structures to ensure that this is not repeated and furthermore, to recognize that this is a public beach with a long established public right of way which the Local Authority have a responsibility to protect and maintain which they have not done in the last no of years.”

This Motion was seconded by Cllr. Lynch

Reply:

We have carried out works recently to secure the area at Cragg beach to prevent further illegal encampments.

As advised in my previous notice of motion reply Cragg beach is not maintained by or in the ownership of Clare County Council. I am also not aware of any public right of way to Cragg beach and there does not appear to be one designated on the relevant landowners land registry folio’s.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

A discussion then took place regarding Cragg beach & C. Feeney further advised that Cragg beach was not registered to Clare Co Council & was not therefore a public beach like other beaches where Clare Co Council provided facilities. He added that if it was felt locally that a public right of way existed that there would be an opportunity for same to be considered as part of the preparation of the Co. Development Plan.

12. Notice of Motion submitted by Cllr. Slattery

“In view of the size of the West Clare Municipal District which comprises 47% of the landmass of County Clare I am requesting the CEO to assign a second Senior Executive Engineer together with the appropriate supporting staff to be located in the Ennistymon area office. I make this request in light of the enormous unworkable workload being undertaken by our present SEE who is based in Kilrush but trying to deal with every issue from Ballyvaughan to Kilrush.”

This Motion was seconded by Cllr. Nagle

Reply:

At present all staff at Senior Executive Engineer level are assigned to full time roles across the various sections of Clare County Council. The assignment of Senior Executive Engineers to the various Municipal Districts had regard to the transfer of the water services function to Irish Water and the centralisation of the management of the Council's water service operation to Ennis thereby removing the responsibility for water services from the Senior Executive Engineers in the Municipal Districts.

However, it is acknowledged that the West Clare MD is a particularly extensive geographical area requiring significant engineering management including the additional challenges arising from the coastal nature and susceptibility to severe weather influences. In this regard the excellent work of the existing Senior Executive Engineer and his staff is acknowledged. The existing mutual professional relationship with elected members and the engineering staff in the delivery of services to such a large area is also acknowledged.

At present Clare County Council does not have Departmental approval for the appointment of an additional Senior Executive Engineer and there is no available budget provision for same. Therefore the appointment of an additional SEE to the West Clare area will require to be addressed from within existing resources and a review is currently underway in this context.

Response Ends

Leonard Cleary, SEO, Human Resources & SEO Housing

Cllr. Slattery again mentioned the enormous unworkable workload being undertaken by C. Feeney who was based in Kilrush but trying to deal with every issue from Ballyvaughan to Kilrush. A. Haugh acknowledged the great work being carried out by C. Feeney. She added that it was always intended to have one base per MD Area but the fact that the Ennistymon MD offices remained was a deviation from this. She added that she didnt consider it workable for one SEE to continue to cover this area & she was looking at moving an SEE resource from HQ. C. Feeney referred to Technician who had been appointed to West Clare MD area together with Clerical Officer & improvements in technology. He acknowledged that he appreciated the concerns of the Cllrs.

13. Notice of Motion submitted by Cllr. Slattery

"I am requesting Clare County Council to liaise with Transport Infrastructure Ireland to erect a crash barrier and to tar and chip the sliproad leading onto the N67 at Deerpark West, Ennistymon, known locally as the Canon's Hill, Ennistymon, in the interest of health and safety."

This Motion was seconded by Cllr. Lynch

Reply:

I will liase with Transport Infrastructure Ireland regarding the provision of a crash barrier and remedial works to the slip road adjacent to the N67 at Deerpark West Ennistymon.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

14. Notice of Motion submitted by Cllr. Chambers

"That the road R485 from Shaughnessy's cross to Kilmurry McMahon Post Office to be included in 2016 Surface Dressing Scheme."

This Motion was seconded by Cllr. Curtin

Reply:

The inclusion of the R485 for surface dressing in the 2016 Municipal District Schedule of Works will be dependent on the level of funding allocated to the roads element of the schedule. Until funding allocations etc are finalised in the first quarter of 2016 I am unable to comment on its likely inclusion or otherwise.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

15. Notice of Motion submitted by Cllr. Chambers

“That the Road No L6117-0 be included in the 2016 Roads Work Scheme. This road needs to be strengthen and sealed.”

This Motion was seconded by Cllr. Curtin

Reply:

The inclusion of the L-6117-0 in the 2016 Municipal District Schedule of Works will be dependent on the level of funding allocated to the roads element of the schedule. Until funding allocations etc are finalised in the first quarter of 2016 I am unable to comment on its likely inclusion or otherwise.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

In the absence of Cllr Kelly he gave consent to Cllr. Curtin to move his Motion

16. Notice of Motion submitted by Cllr. Kelly

“That special attention would be given to the repair of short sections of roads in order to avoid diversions to other roads”

This Motion was proposed by Cllr. Curtin & seconded by Cllr. Keating

Reply:

The repair of short sections of road is permissible under the Department Guidelines for grant aided work under the annual roads programme included in the Schedule of Municipal District Works. However we must also be cognisant of unit cost which sometimes makes those types of repairs cost prohibitive in the short term.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

17. Notice of Motion submitted by Cllr. Nagle

“That Clare Co Council would give a date for completion of the repair of the culvert at Ballylane, Liscannor & the re-opening of the road .”

This Motion was seconded by Cllr. Slattery

Reply:

The repair of Ballylaan bridge , Liscannor will commence on Tuesday the 17th November 2015 and will take approximately 4 weeks to complete. The work is being undertaken by an external contractor.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

Cllr. Nagle emphasized the importance of these works being completed as quickly as possible.

18. Notice of Motion submitted by Cllr. Nagle

“I am again requesting that Clare Co Council provide proper access to the Teach Cheoil in Ennistymon.”

This Motion was seconded by Cllr. Slattery

Reply:

The access works for Teach Cheoil which abuts the N67 will need to be funded by Transport Infrastructure Ireland (TII) who are the funding authority for works relating to the national secondary road network. I did write to TII on foot of the last notice of motion and I will write to TII again requesting such funding.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

Cllr. Nagle indicated that if Clare Co Council were waiting for TII to approve that works would never happen. C. Feeney indicated that he was aware that a Part 8 proposal was to go before the members previously regarding works here & that he would get road design to look at same & bring before the members for consideration.

19. Notice of Motion submitted by Cllr. Nagle

“That Clare Co Council would strengthen & surface dress the L5164 .”

This Motion was seconded by Cllr. Slattery

Reply:

The road L-5164 will not be included in the 2015 schedule of municipal district works. The inclusion of the L-5164 in the 2016 municipal district schedule of works will be dependent on the level of funding allocated to the roads element of the schedule. Until funding allocations etc are finalised in the first quarter of 2016 I am unable to comment on its likely inclusion or otherwise.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

Cllr. Curtin indicated that in the absence of Cllr Hillery that he had given authority to him to move his Motions so he proposed to take Items 20 & 24 together

20. Notice of Motion submitted by Cllr. Hillery

“That Clare Co Council would survey the drainage system of Miltown Malbay & that the necessary remediation action be undertaken as soon as possible to prevent future flooding of dwelling houses/businesses in the town “

This Motion was proposed by Cllr. Curtin & seconded by Cllr. Keating

24. Notice of Motion submitted by Cllr.Curtin

“That the Executive Engineer report on the drainage & other infrastructural remedial works in Ennis rd, Church rd & Main St. Miltown Malbay arising from flooding on September 11th & as reported throughout 2015.”

This Motion was seconded by Cllr. Keating

Reply:

We have just recently completed a CCTV survey of the drainage system at Church Road Miltown Malby and are in the process of analysing this survey. We have not inspected other elements of the drainage network yet but hope to do so in the coming weeks. Following this we will then identify the required remedial measures which will be subject to funding and third party permissions.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

Cllr. Curtin indicated that there was local knowledge available which he could also make available to C. Feeney to help prevent a reoccurrence of what happened on 11th September 2015.

21. Notice of Motion submitted by Cllr. Hillery

“That Clare Co Council would improve the sight distance at the junction of the R460/R474 roads 2 kilometres on the Ennis road from Miltown Malbay“

This Motion was proposed by Cllr Curtin & seconded by Cllr. Nagle

Reply:

This junction (Knockloskeraun cross) is included under a low cast safety improvement scheme in the 2015 Schedule of Municipal District Works and works will commence shortly.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

22. Notice of Motion submitted by Cllr. Hillery

“That Clare Co Council would inspect the bridge on the entrance to Kildimo graveyard & any necessary remedial works would be undertaken in the interest of safety“

This Motion was proposed by Cllr Curtin & seconded by Cllr. Nagle

Reply:

The bridge leading to Kildimo graveyard is not on a public road and therefore Clare County Council have no responsibility to carry out any inspection or remedial works to it.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

23. Notice of Motion submitted by Cllr. Curtin

“That the Senior Engineer update the Council on current road opening licences under consideration for major infrastructural (waterwork, relaying of underground ducts) projects in the West Clare MD with their implications for all interested parties”

This Motion was seconded by Cllr. Lynch

Reply:

Currently there are no road opening applications to facilitate major infrastructural projects under consideration in the West Clare MD. However, the Council has been approached by WCRE Windfarm Ltd. regarding its requirement to construct a bank of ducts to facilitate a proposed ESB 110 kV underground cable installation from the proposed Slieve Callan Windfarm to the substation located immediately to the east of the Ennis By-Pass and adjacent to the Tulla Road Interchange (Junction 13). Discussions have taken place with the prospective applicants to outline what would be expected from them in terms of the make-up of their application(s) and regarding what advance preparation they need to undertake before any such application(s) are submitted. The length of the prospective route between the wind farm site and the substation is approximately 30 km and if approval is ultimately confirmed in respect of licence application(s), it is likely that such confirmation will facilitate construction of the vast bulk of the project in public roads – in this regard the most significantly impacted upon road will be the R474.

For application purposes, the developers are aware that the route needs to be broken up into approximately 15 sub-divisions so that the Council can optimise control by virtue of not facilitating a particular licence application until such time as the requirements of the previous stage have been fully complied with. The views of the general public will be sought in respect of any licence application which incorporates a proposal to temporarily close a section of public road affected by the project – in this regard a public notice in respect of each such application will appear in the local press inviting submissions from the general public which will be duly considered before a decision is made regarding approval or otherwise of the application.

Full planning permission has already been granted in respect of the windfarm development.

If the road opening licences are approved, there will be considerable inconvenience for residential, business and farming interests along significant sections of the R474 between “The Hand” and Ennis – such licences will incorporate conditions designed to maximise efficiency of construction and to minimise inconvenience, and compliance with the requirements of such

conditions would be a matter for continuous monitoring and enforcement by Clare County Council.

Response Ends

Tom Tiernan, SE, Transportation

Cllr Curtin said it would be important that communication would be made by Clare Co Council to Kilmaley Inagh GWS & also with the businesses regarding proposed works. C. Feeney confirmed that he had already made contact with Kilmaley Inagh GWS. He added that because of the width of the Regional road that a partial opening of the road to facilitate traffic would not be an option when cables were being laid.

25. Notice of Motion submitted by Cllr. Curtin

“That the Senior Executive Engineer report on progress on the matters raised by the Inagh Development Committee eg. recapping the parapet on the wall at the crossroads car park & the pedestrian crossing, at the September MD meeting”

This Motion was seconded by Cllr. Keating

Reply:

The recapping of the parapet wall is programmed to be completed by the end of the year subject to resources being available.

I have forwarded the request for a pedestrian crossing again onto our road design department for consideration in conjunction with Transport Infrastructure Ireland.

Response Ends

Cyril Feeney, A/SEE, West Clare Municipal District

26.A.O.B.

It was proposed by Cllr. Nagle that the next MD meeting would take place in Kilfenora & this was agreed by the members. It was proposed that the meeting would take place at 4pm on 26th January 2016.

Cllr. Curtin suggested that a Briefing would take place with Eirgrid re the laying of an underground cable under the Shannon. Following discussion it was agreed that as this project had commenced & that there was no need for such a Briefing.

It was agreed that a meeting to formally distribute the GMA allocation could be decided prior to the January MD meeting.

J. Corry confirmed that he had made repeated efforts to arrange a meeting with a deputation from the West Clare MD to the TII. It was accepted by the members that this meeting was unlikely to take place.

Cllr. Keating suggested that Clare Co Co would indicate the road description as well as the road no when responding to Motions etc.

Cllr. Curtin said he was disappointed that the only suitable room available to the West Clare MD to meet on Monday was in the Meeting Room in the Fire Station in Ennis.

This then concluded the business of the meeting.

Signed :

**Cllr. C. Curtin
Cathaoirleach**

Signed :

**J. Corry
Meetings Administrator**

Dated this the 21st day of January 2016.