

# **Minutes of March Meeting of West Clare Municipal District, held on 20th March, 2018 at 3p.m. in West Clare Municipal District Offices, Ennistymon, Co. Clare**

## **Cathaoirleach sa Cathair:**

Cllr. M. Hillery,

## **I Láthair:**

Cllr. P.J.Kelly, Cllr. R. Nagle, Cllr. I. Lynch, Cllr. G. Keating, Cllr. C. Curtin, Cllr. B. Chambers, B. Slattery,

## **Officials present:**

Mr. Leonard Cleary, Area Co-Ordinator & A/Director of Service  
Mr. J. O'Malley, A/Senior Executive Engineer, West Clare Municipal District  
Mr. M. Lahiffe, A/Senior Executive Engineer, West Clare Municipal District  
Ms. R. Hurley, Senior Executive Architect  
Mr. T. Tiernan, Senior Engineer, Transportation  
Mr. J. Corry, Administrative Officer & Meetings Administrator.

Cllr. Hillery convened the meeting & welcomed those in attendance.

## **1. Minutes of Meeting of West Clare Municipal District held on 30th January 2018**

The Minutes were proposed by Cllr. Curtin & seconded by Cllr. Chambers & agreed.

In matters arising Cllr Slattery sought an update on the Doolin Masterplan. R. Hurley indicated that work was ongoing with regard to same. Cllr. Slattery suggested that it was important that the consultants report back to the members on progress as soon as possible & Cllr. Nagle agreed.

Cllr. Lynch sought an update on the proposed taking in charge of Factory Lane & Turrett Lane, Kilrush. J. O' Malley indicated that he was reviewing same & that he would report back to the members when same was finalised.

It was then proposed by Cllr. Keating & seconded by Cllr. Slattery to adjourn the meeting for 5 minutes.

## **2. Draft Schedule of Municipal District Works 2018**

T. Tiernan went through the proposed Roadworks Programme for 2018. He pointed out that there was an increase in the Restoration Improvement grant from that of 2017 & he also pointed out that there was a new Drainage grant of €748.5k included for 2018 to help address drainage issues. He also indicated that there was an additional provision of €1.6m, received from IPBMI, to be invested in footpath remediation works to help minimize the risk to the Council from the point of view of Public Liability claims etc. R. Hurley then went through the Housing related matters on the draft SMDW.

Cllr. Keating indicated that it was a fantastic report & proposed same for adoption & Cllr. Hillery seconded this. Cllr. Curtin queried if the funding to carry out repair works resulting from the Slieve Callan cable laying project were included in the SMDW. T. Tiernan indicated that they weren't as there was a separate funding source to carry out these works arising from contributions paid by the developers. Cllr. Nagle queried as to what stage the proposed upgrade works on the N85 at Kilnamona were at. T. Tiernan advised that further studies were presently being carried out by the consultants arising out of issues raised at meetings with landowners. He indicated that it was hoped that the proposed scheme would go to Part 8 by July.

Cllr. Hillery thanked T. Tiernan & R. Hurley for their update & he went on to wish T. Tiernan well in his upcoming retirement. This was echoed by the other members.

It was then agreed to deal with any items which T. Tiernan might have an input into while he was present.

### **3. West Clare MD GMA Allocation 2018**

The GMA allocation of 2018 was proposed by Cllr. Kelly & seconded by Cllr. Chambers

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

*"Under the current speed limit review that the TII would accede to the proposals from the WCMD Cllrs to:*

- 1. Reduce the current speed limit of 100KM/H down to 60km/h from the Corkscrew Hill to the village of Ballyvaughan.*
- 2. To extend the 50km/h through the village of Quilty as far as the caravan park on the N67 so that the concerns of the people will be adhered to from the submissions that were made to the TII and the many workshops that were held, in the interest of road safety for motorists, pedestrians, cyclists and school children.*
- 3. That a blanket reduction of the 100km/h speed limit currently on the N67 from the south Galway border to Killimer will not be introduced."*

This Motion was seconded by Cllr. Keating

T. Tiernan indicated that the TII had looked closely at the items mentioned & that, in accordance with the guidelines that they were recommending that the Corkscrew & south of Quilty would both reduce from 100km/h to 80km/h and that with the exception of three segments of the N67 which could remain at 100km/h that all other segments would reduce to 80km/h. He added that he took on board the comments of the MD members & that the bye laws were being further reviewed in advance of being presented to the Full Council at the April meeting.

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

*"That Clare County Council would include the Regional road R460 from Inagh to Corofin in the Winter Service Plan to have it salted when required in the interest of safety as the remaining section of this Road R460 from Miltown Malbay to Inagh is included."*

This Motion was seconded by Cllr. Nagle

*Reply*

*Consideration can be given to inclusion of this section of road as part of the Winter Service Plan during the next periodic review as otherwise it would become impossible to manage winter maintenance schedules.*

*Response Ends*

Tom Tiernan, Senior Engineer, Transportation

It was indicated by Cllr. Nagle that climate change was resulting in harsher winters & that the Winter Service Plan needed to be reviewed to reflect this.

#### **24. Notice of Motion submitted by Cllr. Keating**

***“Following the recent visit of the OPW Minister would Clare County Council provide an update on the following proposed works from the storm damage of 2014:***

- 1. Raising the wall at Querrin Shore opposite to 4 houses which were flooded and where one family, whose house was flooded and where this family were forced to leave the area***
- 2. Demolished wall at Colaiste Uí Comhraí at roadside***
- 3. Damage to coastline on William’s and Burke’s farmland”***

This Motion was seconded by Cllr. Curtin

*Reply*

- 1. The raising of the walls in Querrin does not form part of the Storm Restoration Project. No funding was provided to carry out new works under the scheme. The scheme will be considered for inclusion under the minor coastal erosion and flood scheme. It is located in or close to a Special Area of Conservation and a Special Protection Area and any works in the location cannot have a significant impact on the Conservation objectives of the SAC.*
- 2. It is the intention of Clare County Council to reconstruct this wall before the Summer season.*
- 3. Works at these locations are included in the Shannon Estuary Project. At present work are being carried out in Ballynacally and Kildysart. Works have just been completed in Fodra and Ross Bay. It is hoped to begin design work in these areas shortly with a view to construction later in the year subject to compliance with environmental requirements. The works are located in a Special Area of Conservation and a special protection area. Any works in this area cannot have a significant effect on the Conservation objectives of the SAC.*

*Response Ends*

Steve Lahiffe, A/SEE, Transportation

#### **25. Notice of Motion submitted by Cllr. Keating**

***“Re construction of Ministers Cross, Kilkee:***

- 1. Removal of existing wall***
- 2. Development of a streetscape at the area i.e. seating, lighting etc. overlooking the Bay”***

This Motion was seconded by Cllr. Lynch

*Reply*

*It is planned to remove and set back the existing wall in conjunction with the N67 Grattan street pavement strengthening scheme provided funding is available through the TII. I would not recommend that this area is developed into a seating area due to the concerns from a road safety viewpoint at this busy junction.*

*Response Ends*

John O’ Malley, A/SEE, West Clare Municipal District

Cllr Keating indicated that something needed to be done at this junction as it was a very dangerous junction. T. Tiernan indicated that the geometry around this junction made it very difficult to sort out but that it could be further looked at as part of the proposed works at Grattan St.

#### **4. "Presentation by Vincent McCormack GKinetic on proposed off-shore tidal test device off Cahercon"**

J. Corry confirmed that he had just received an e-mail indicating that the group proposing to deliver this Presentation were unable to attend & that they apologized for same. He added that they held a successful public consultation mtg in Kildysert recently & that they were in the process of reviewing feedback received regarding the proposed project. Cllr. Nagle suggested that we should look at the positives of this matter & that serious credit needed to go to B. McCarthy as without his intervention at the Economic Development SPC this proposed project could have gone to Limerick and instead the company were now seriously looking at the Shannon Estuary off the Clare coast as being a possibility for this prototype.

#### **5. Proposal of Kilrush & District Historical Society to carry out a Feasibility Study on the Turrett Lodge, Kilrush**

J. Corry indicated that the Kilrush & District Historical Society were seeking the consent of the West Clare MD to carry out a feasibility study on the Turrett Lodge in Kilrush to determine its suitability as a Genealogy Centre. This proposal was welcomed by Cllr. Lynch who indicated that it would be great to see the Turrett Lodge restored & put to use and that it could be a great additional attraction to Kilrush. The proposal was seconded by Cllr. Keating.

#### **6. Notice of Motion submitted by Cllr. Kelly**

***"That TII be requested to install a pedestrian crossing on the N68 at the entrance to Abhainn Sleibhe estate at Decomade, Lisseycasey"***

This Motion was seconded by Cllr. Curtin

*Reply*

*The Road Design Office can undertake to assess the requirement for a pedestrian crossing at this location and discuss with the TII Regional Road Safety Engineer at our next meeting.*

*Response Ends*

Ann Cronin, SEE, Road Design

Cllr. Kelly welcomed the response as he indicated that 57 students going to school were being picked up at this location.

#### **7. Notice of Motion submitted by Cllr. Kelly**

***"That essential repairs be carried out to Knockalough road between N68 and Kilmihil village"***

This Motion was seconded by Cllr. Curtin

*Reply*

*Essential repair works will be carried out to this section of the R484 within the resources available. A detailed repair of this road is not on the current Road Works Programme as there is substantial investment required but it is planned to include in the next Programme.*

*Response Ends*

John O' Malley, A/SEE, West Clare Municipal District

### **8. Notice of Motion submitted by Cllr. Kelly**

***“That Clare County Council take over the road at Cullenagh , Labasheeda which was recently improved under an LIS scheme”***

This Motion was seconded by Cllr. Curtin

*Reply*

*The road in question does not meet the minimum requirements of Clare County Council's Taking in Charge Policy for Private Roads. The junction of this roadway and the public road (R473) does not have the required sight distance (at 3m setback) of 160m (required stopping distance for 80km/hr) in each direction. Therefore I recommend that Clare County Council do not take in charge this private road as to do so would have an adverse impact on the management and maintenance of public roads in the area and introduce additional risks for the local authority.*

*Response Ends*

John O' Malley, A/SEE, West Clare Municipal District

Cllr. Kelly indicated that he would get the landowner to contact John O' Malley about the possible acquisition of lands which might be necessary.

### **10. Notice of Motion submitted by Cllr. Slattery**

***“In view of the amount of complaints received from locals and visitors using the Promenade and other public areas in Lahinch I am asking the Environment section of Clare Co Council to enforce the Bye Laws that are displayed & to prosecute dog owners that don't pick up or use the pooper bags provided for the excrement left from their dogs, and that Clare Co Council provide bins for rubbish such as coffee cups plastic bottles paper wrapping etc all year round except in very bad weather. “***

This Motion was seconded by Cllr. Nagle

*Reply*

*Clare County Council is conscious of the need for adequate control of dogs in public places. We are currently developing a comprehensive media & advertising campaign in relation to dog owner responsibilities in county Clare and would like to highlight the following at this stage*

- Dog Owners are responsible for cleaning up any dog litter created by their pets. They should always Bag it and Bin it.*
- If you can't find a bin bring it home.*

- They are responsible for having a Dog licence and getting their pet micro-chipped. They should also have their pet wormed regularly
- Dog owners should never let their animals out alone and should have their dogs trained in obedience.

*In 2016, the Environment Section launched the Green Dog Walkers Campaign, which is a non confrontational, friendly way to raise awareness of dog owners responsibilities in relation to cleaning up after their dog. Volunteers wear a high viz vest with “Leave only Pawprints” on the back, to show that they have ‘taken the pledge’ to always clean up after their dog, carry extra dog waste bags, be happy to be approached to ‘lend’ a dog waste bag to those without and to be a friendly reminder to other dog walkers to clean up after their dogs. Over 600 people have signed up to be Green Dog Walkers and pop up information stands were held on Lahinch Promenade during summer 2016 and 2017. It is intended that this will happen again over the summer period in Lahinch.*

*Clare County Council also teamed up with the creators of internet animation series Sminky Shorts to launch the Green Dog Walkers. Funded under the Department of the Environment, Community and Local Government's Anti Litter Awareness Grant Scheme, the 80-second animated short highlights the responsibility of dog owners to clean up after their dog and features two cartoon pug dogs humourously conversing at the Cliffs of Moher and may be viewed on facebook and twitter. The Sminky Shorts clip has been running in the cinema in Ennis for a 6 week period twice a year.*

*The majority of people walking dogs in public spaces are conscientious about picking up dog litter, and can help get the message out to others by leading by example.*

*Where education and awareness does not work Clare County Council has a number of enforcement options available to regulate poor and unacceptable behaviour. Clare County Council will carry out enforcement where this is required.*

*Response Ends*

*William Freeney, SEE, Environment*

*Clare County Council has been operating a demand based policy on bins in relation to Lahinch Promenade over recent years. No bins are provided on the Promenade during off peak times of approximately November to Mid March. The number of bins rises progressively in line with demand culminating in approximately ten double bins serving the Promenade area in peak time. These bins are serviced by Clare County Council operatives numerous times per day during peak season up to late evening.*

*Our experience on this matter is that the provision of bins can, in itself bring with it issues of improper usage and Clare County Council encourages people and families to bring home their rubbish.*

*Response Ends*

*Morgan Lahiffe, A/SEE, Environment*

*Cllr. Slattery indicated that he was not happy that bins were not provided in Lahinch all year round as they were in Ennis. M. Lahiffe indicated that it was a resource issue & he also indicated that he was not aware of there being an issue of littering in the town as it had not been reported to him. Cllr. Slattery proposed leaving existing bins in place for a twelve month period to see how it worked out. M. Lahiffe indicated that now that he was aware that there was an issue that he could investigate further.*

## **11. Notice of Motion submitted by Cllr. Slattery**

***“I am asking Clare Co Council to provide a footpath from the Fire Station up to the housing estate at Kilcornan Ennistymon and that the road be strengthened and resurfaced and the public lighting be improved at the lower end.”***

This Motion was seconded by Cllr. Nagle

*Reply*

*Footpaths at this location would be cost prohibitive for the following reasons :*

- *Retaining structures would be needed due to the topography of the ground.*
- *The existence of two sheds adjacent to the roadside.*

*The road condition over the lower 150m is poor. Clare County Council will endeavour to remediate this section of roadway through Discretionary Funds in 2018.*

*Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

Cllr. Slattery indicated that he was not happy with the response. M. Lahiffe indicated that the works would be cost prohibitive .

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

***“That Clare County Council would give an update on the "Taking in charge" of the following estates;***

- A. Gairdini Cluain Buinne,***
- B. Breaffa Crescent, Spanish Point,***
- C. West Coast View, Crosses of Annagh,***
- D. Woodbine Heights, Spanish Point,”***

This Motion was seconded by Cllr. Nagle

*Reply*

I wish to reply as follows:

- A. *Gáirdíní Cluain Buinne:*** *The access road to this development is not in charge of Clare County Council and it has been referred to the Roads Section for follow up by them. It is the intention of the Planning Authority to commence the Statutory Process in relation to this development when the access road has been declared a public road.*
- B. *Breaffa Crescent, Spanish Point:*** *The Statutory Process in relation to the Taking in Charge of this development commenced on 10<sup>th</sup> November 2017 with an advertisement in the Clare Champion, it was left on public display for 4 weeks with a further 2 weeks for receipt of submissions. It is noted from assessments undertaken that there are substantial costs involved to bring this estate fully up to standard with a significant proportion of the costs attributable to water services issues. A further assessment in relation to the treatment plant is required to be carried out and we await Irish Water’s report in relation to their issues. There are no bond monies available to finance any remedial works.*
- C. *West Coast View, Crosses of Annagh:*** *A Management Company is in place for the management and maintenance of this development.*

- D. Woodbine Heights, Spanish Point:** Clare County Council assumed responsibility for the public lighting in this development in August 2015. The Planning Authority have been liaising with the developers on an ongoing basis regarding the outstanding works to be carried out and the developers informed us in November 2017 that following completion of the final ESB connection they would arrange for the road surfacing to be completed in the estate. The developer was recently requested to provide an update on progress.

*Response Ends*

Siobhan O' Reilly, AO Planning.

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

***“That Clare County Council would give an update on providing a replacement culvert at Lough Donnell following the 2014 storm and the possible commencement date for the project to start.”***

This Motion was seconded by Cllr. Curtin

*Reply*

*Clare County Council have completed the detailed design and environmental assessment of the proposed reconstruction of the sluice at Lough Donnell. It was the opinion of our Consultants following a screening for Appropriate Assessment that the possibility of the works having a significant effect on the Conservation objectives of the Special Area Of Conservation could not be screened out and a Natura Impact Statement is required. This means an application to An Bord Pleanala, a Natura Impact Statement and an Ecological Impact Assessment. It is our intention to begin work on these shortly.*

*At the same time the National Parks and Wildlife Service are conducting a review of all Coastal Lagoons in the county including Lough Donnell. The final report is due out shortly. It is likely that the report will show a deterioration in the lagoon since 2009. We intend to meet with the National Parks and Wildlife Service again to discuss this report prior to any submission to An Bord Pleanala.*

*Response Ends*

Steve Lahiffe, A/SEE, Transportation

Cllr. Hillery thanked S. Lahiffe for his response but he indicated that he couldn't understand why the culvert couldn't be replaced.

#### **15. Notice of Motion submitted by Cllr. Curtin**

***“That the necessary repairs be carried out on the damaged section of the local road and adjoining culvert at Moyhill, Corofin”***

This Motion was seconded by Cllr. Nagle.

*Reply*

Remedial works in this area will be carried out in 2018.

*Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

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

***“That the Senior Executive Engineer Report on the recurring flooding at Ballyreen Cross ,Doolin and a possible resolution for same.”***

This Motion was seconded by Cllr. Nagle.

*Reply*

*Flooding at this location is a historical issue. This area is most susceptible during weather events of intense rainfall. Works were carried out in 2005 by Clare County Council to reduce the effects of flooding at that location. Further to that, a draft Flood Alleviation Scheme was produced in 2013. It is Clare County Councils intention to now develop this scheme in more detail, to secure funding and enter into dialogue with landowners affected to ensure this Scheme progresses.*

*Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

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

***“That resurfacing of the defective parts of the N67 and local roadwork network be carried out in Miltown Malbay at Flag Road, Church Street and Main Street.”***

This Motion was seconded by Cllr. Hillery

*Reply*

*TII will fund resurfacing works to the N67 Main Street in Miltown Malbay in 2018. Funds have also been allocated in the SMDW to remediate a section of roadway adjacent to the church. Clare County Council has applied to the TII to fund localised repairs on the Flag Road section of the N67.*

*Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

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

***“We the members of the West Clare MD call on the Minister for Health to provide funds to the HSE for a Primary Care Unit in Kilrush.”***

This Motion was seconded by Cllr. Keating

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

***“That Coillte provide funds to upgrade the walkways adjacent to the Walled Gardens in Kilrush”***

This Motion was seconded by Cllr. Keating

*Reply*

*I have submitted a request to Coillte seeking their response*

*Response Ends*

John Corry, AO Transportation & Meetings Administrator West Clare MD

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

***“I am requesting that Clare County Council would liaise with CLDC to put in place a maintenance and upgrade programme for the Cliff Walk from Doolin to Hags Head in consultation with local landowners”***

This Motion was seconded by Cllr. Keating

*Reply*

*The Cliff Walk from Doolin to Hags Head is an important asset of the Burren tourism product offering and its management requires the cooperation of a range of stakeholders.*

*In order to maintain the quality of the product ongoing investment in the physical asset is essential based on a solid working relationship with local landowners. In this regard, in recent months a meeting to discuss walks adjacent to the Cliffs of Moher was convened by CLDC with stakeholders including public agencies and farming representatives participating. The meeting considered a preliminary report by a UK based rural walks expert on risks and repairs. A number of follow up actions were agreed.*

*The Council subsequently met with the CLDC Walks Officer (Mr Eoin Hogan) to support the delivery of the actions. The resource of a Council GIS Officer was made available to CLDC to plot the various areas in need of repair so that they could be mapped and included in a planned maintenance programme.*

*The Council will liaise with CLDC with a view to planning for the future of the Cliffs Walk with input from the landowners involved in the partnership for the walks product. This tourism product contributes to the delivery of the targets of the Clare Rural Development Strategy and will also feature in the planned Clare Tourism Strategy.*

*Response Ends*

Monica Meehan, SEO, Rural Development.

Cllr. Nagle suggested that M. Lahiffe & L. Cleary would walk the route to see first hand the works required.

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

***“That Clare County Council would strengthen and surface dress the Lisroe road from Kilmaley Post Office to the Bogdale House”***

This Motion was seconded by Cllr. Keating

*This route (L-4229) is being used as a haul route for Windfarm projects further west. Clare County Council intend to remediate this section of road post works. We will endeavour in the meantime to keep this road maintained with the resources available.*

*Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

Cllr. Nagle indicated that people in this area had been very patient up to now. M. Lahiffe indicated that haulage works on this route should be over by May or June and he could then look at the road remediation.

It was proposed by Cllr. Nagle & seconded by Cllr. Curtin that the meeting be extended by a further 15 minutes to allow business to be completed.

## **22. Notice of Motion submitted by Cllr. Nagle**

*“I am requesting that the Ballyvislaun road from Careys Cross to Caherbarna be strengthened & surface dressed .“*

This Motion was seconded by Cllr. Slattery

### *Reply*

*The L-5116 at Ballyvislaun is the road in question. This road is not included in the 2018 SMDW. We will endeavour to maintain the road with the resources at our disposal. This road will be considered for works in future programmes.*

### *Response Ends*

Morgan Lahiffe, A/SEE, West Clare Municipal District

## **23. Notice of Motion submitted by Cllr. Keating**

*“That Clare County Council call on the Department of Health and the HSE to deliver a Primary Health Care Centre in Kilrush which is urgently needed , in view of the towns geographical location , it’s large population , the changes to the Shannon Doc service and the limited public transport service serving the town and the wider area including the Loop Head Peninsula”*

This Motion was seconded by Cllr. Nagle

## **26. Correspondence**

The Correspondence was noted

## **27. A.O.B**

Cllr. Slattery referred to the upcoming SRAC cycle on 24<sup>th</sup> March. He referred to the proposal that had been raised at the September 2017 West Clare MD meeting that any future cycle event commencing in Ennistymon that same be limited to a maximum of 1,000 cyclists and that the organizers would have to come up with their own off street parking plan. He added that the proposed cycle for 2018 was proposing to have over 3,000 cyclists and that there had been no consultation in advance of the event with the businesses despite the fact that they had been impacted upon from a parking point of view in 2017. Cllr. Nagle agreed. He emphasized the point that Ennistymon welcomed all events that brought tourism to the town but that there needed to be proper consultation in advance of such events.

Cllr. Kelly referred to Kilcashen Burial Ground & he suggested that L. Cleary might relook at same & that same would come back before the West Clare MD again. Cllr. Curtin agreed.

It was agreed that the next MD meeting would take place at 3pm in Kilrush MD offices on 1<sup>st</sup> May.

This then concluded the business of the meeting.

**Signed :**

**Cllr. M Hillery  
Cathaoirleach**

**Signed :**

**J. Corry  
Meetings Administrator**

**Dated this the 1<sup>st</sup> day of May 2018.**