

CHOMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 26th
JULY, 2010.**

CATHAOIRLEACH:

Cllr. J. McClearn

ILATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, S. Canney, L. Carroll, P. Connaughton, D. Connolly, M. Connolly, J. Cuddy, Comh S O’Cuaig, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Hoade, P. Hynes, C. Keaveney, S. Kyne, M. Maher, E Mannion, T. Mannion, J McDonagh, T. Mc Hugh, M. Mullins, M. Noone, P. Roche, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager;
Messrs. J. Cullen, F. Gilmore, Directors
of Service; G. Mullarkey, Head of
Finance; M. Dolly, E. Molloy Senior
Engineers; B. McDermott, County
Secretary; M. Owens, A. Comer, J.
Brann, Senior Executive Officers, B.
Barrett, Administrative Officer, P.
O’Neachtain, Oifigeach Gaeilge, G.
Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

419

A resolution of sympathy was extended to the following:-

Mrs Nonie Tierney, Bournagurtheeney, Oughterard, Co. Galway.

Mr. Martin Butler, Hill of Doon, Oughterard, Co. Galway.

Ashley, Francis, & Jonathon Clancy, Danesfield, Moycullen, Co. Galway

Paddy & Pauline Malone, Garrymore, Kilconnell, Ballinasloe, Co. Galway.

Pat & Kay Costelloe, Bullaun, Cummer, Tuam, Co. Galway.

Pakie Burke, Corbally, Cummer, Tuam, Co. Galway.

CONFIRMATION OF MINUTES OF MEETINGS

420

The Minutes of the Monthly Meeting held on 28th June, 2010 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. McHugh.

Arising from the minutes and in response to a query from Cllr. Cuddy, Mr. Cullen stated that the Council had written to the Minister for the Environment, Heritage and Local Government seeking a deputation in relation to the Water Services Investment Programme and that a reply is awaited.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 –AN CHEATHRÚ RUA THEAS, AN CHEATHRÚ RUA, CO. NA GAILLIMHE

421

Report dated the 15th July, 2010 was already circulated to each Member

On the proposal of Comh. O Tuairisg, seconded by Comh. O Cuaig, it was agreed that the proposal for the demolition of existing bungalow and construction of a new dwelling house at An Cheathrú Rua Theas, An Cheathrú Rua, be approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – SALT STORAGE BARN AND ANCILLARY WORKS IN THE TOWNLAND OF KILLALOONTY, TUAM

422

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Cllr. McHugh, seconded by Cllr. Canney, it was agreed that the proposal for the construction of a salt storage barn and ancillary works in the townland of Killaloonty, Tuam, be approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – SALT STORAGE BARN AND ANCILLARY WORKS IN THE TOWNLANDS OF BALLYGASTY AND GRAIGUE, LOUGHREA

423

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Cllr. Willers, seconded by Cllr. Fahy, it was agreed that the proposal for the construction of a salt storage barn and ancillary works in the townland of Ballygasty and Graigue, Loughrea, be approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – SALT STORAGE BARN AND ANCILLARY WORKS IN THE TOWNLAND OF KININCHA, GORT 424

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Cllr. Willers, seconded by Cllr. Finnerty, it was agreed that the proposal for the construction of a salt storage barn and ancillary works in the townland of Kinincha, Gort, be approved.

Members from the Conamara Electoral Area expressed concern that no salt storage facilities are proposed for West Galway and Mr. Gilmore replied that the three Part 8 proposals are for bulk storage of salt for the whole county and he emphasized that Conamara is not placed at any disadvantage as regards the availability of salt as trucks are pre-loaded and deployed to the various destinations where salt is needed. He also said that the Council is preparing a Policy on Salting of Roads which will be brought before the relevant SPC shortly.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – N63 CANAVAN’S BRIDGE IN THE TOWNLANDS OF CASTLEGAR AND CARROWNAGANNIVE. 425

Report dated 22nd July, 2010 was circulated to each Member.

On the proposal of Cllr. McHugh, seconded by Cllr. Willers, it was agreed that the proposal for bridge refurbishment works to the N63 Canavans Bridge over the Castlegar river, be approved.

AGREEMENT WITH NORTH TIPPERARY COUNTY COUNCIL PURSUANT TO SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 – REFURBISHMENTS TO THE BRIDGE AT PORTUMNA ON THE N65 OVER THE RIVER SHANNON 426

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Cllr. Fahy, seconded by Cllr. Hynes, the making of an Agreement with North Tipperary County Council pursuant to Section 85 of the Local Government Act 2001 in order to enable Galway County Council to undertake the repair and refurbishment of Portumna Bridge and to exercise all the functions necessary for this purpose in the area administered by North Tipperary County Council, which authority will also have to be party to the Agreement, was agreed.

TO CONSIDER A PROPOSAL UNDER SECTION 73 OF THE ROADS ACT 1993 TO EXTINGUISH A PUBLIC RIGHT OF WAY – A SECTION OF THE LT71072 IN THE TOWNLAND OF FRENCHFORT COMMENCING FOUR

HUNDRED AND FIFTY FIVE METRES FROM ITS JUNCTION WITH THE LS7107 IN FRENCHFORT FOR A LENGTH OF SEVENTY SIX METRES 427

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Cllr. Cuddy, seconded by Cllr. Carroll it was agreed to defer this item until a further meeting.

TO APPROVE DRAFT BYE-LAWS FOR THE REGULATION OF CILL RÓNAIN HARBOUR AND CILL ÉINNE HARBOUR 428

Report dated 20th July, 2010 was already circulated to each Member.

On the proposal of Comh. O Tuairisg, seconded by Cllr. Welby, it was agreed that the Draft Bye-Laws for the Regulation of Cill Rónain Harbour and Cill Éinne Harbour be put on public display.

EUROPEAN ROAD SAFETY CHARTER 429

Report dated 16th July, 2010 was already circulated to each Member.

Mr. Gilmore referred to the report and stated that Galway County Council initially signed the European Road Safety Charter in 2007, thus committing to assuming its share of the responsibility in helping to achieve the common target of saving lives.

A number of the Members expressed the view that some people still do not appear to be getting the message regarding road safety and continue to drive dangerously and they asked what is being achieved through the European Road Safety Charter.

Mr. Gilmore outlined the various Road Safety Initiatives undertaken by the Council's Road Safety Together Committee in 2009 which included: Junior School Warden Scheme; Cycle Training Programme; Advanced Pitstop Initiative; Drive for Life Programme; "Check it Fits" Roadshow which aimed to identify child car seats which were fitted incorrectly; "Are you Daylighted" Road Safety Awareness Campaign; and the "Think Twice" Road Safety Show aimed at transition and senior year students in Galway County and City Secondary Schools and Youthreach Groups. He said that these Road Safety Initiatives are examples of the work being done as a result of the European Road Safety Charter and he said that work on these initiatives will continue over the next three years.

It was proposed by Cllr. Kyne, seconded by Cllr. Cuddy and agreed "That Galway County Council commence the process of reviewing speed limits on our county roads with the view to improving road safety".

It was proposed by Cllr. S. Walsh, seconded by Comh Ó Tuairisg and agreed "That the road junctions at Drimnahoon and Moyvoon on the N59 between Rosscahill and Oughterard be made safe as a matter of priority". Mr Gilmore undertook to examine this issue.

In relation to road safety, some Members referred to the matter of verge trimming and stated that where public safety is at risk, verge trimming should be carried out.

Mr Gilmore said that road safety is a priority on all roads and it is the Council's policy to carry out verge trimming at all locations that are considered dangerous.

He also pointed out that the speed limits shown on the road signs are maximum speed limits and drivers must be responsible and take the condition of the road and the environment into consideration when driving.

On the proposal of Cllr. Mullins, seconded by Cllr. Carroll, it was agreed that Galway County renew its commitment to the European Road Safety Charter up to end of 2012.

DEVELOPMENT CONTRIBUTION SCHEME

430

Report dated 20th July, 2010 was already circulated to each Member.

Mr. Comer presented the Draft Development Contribution Scheme to the Members.

It was proposed by Cllr. Welby that the Draft Development Contribution Scheme be put on public display and this proposal was seconded by Cllr. McHugh.

However, some Members expressed reservations regarding the proposals contained in the Draft Scheme in respect of Bearna.

The Mayor pointed out that the review of the Development Contribution Scheme was being carried out at the request of the Members due to the downturn in the economy. He said that a sub-committee of the Council was set up in order to formulate the review and this sub-committee has met on a number of occasions and as a result the Draft Scheme was prepared.

Following a lengthy discussion, Mayor McClearn proposed that this item be referred back to the Area Committees for further discussion. This proposal was seconded by Comh. O Curraoin and agreed.

FINANCIAL REPORT FOR PERIOD ENDING 30TH JUNE 2010

431

Report dated 19th July, 2010 was already circulated to each Member.

Mr. Mullarkey presented the Financial Report for the period ending 30th June, 2010, as circulated.

In reply to a query from Cllr. Kyne regarding re-tendering of electricity provision, Mr. Mullarkey confirmed that the Council re-tendered and made significant savings.

In reply to a query from Cllr. D. Connolly, Mr. Cullen stated that the contract between the Council and Celtic Anglian in relation to water metering and collection of water charges is for 10 years and is currently at year three of the contract.

In reply to Cllr. Broderick's query regarding VAT on Affordable Housing, Mr. Mullarkey stated that he is awaiting clarification from the Minister for the Environment, Heritage & Local Government in this regard.

In reply to issues raised by the Members regarding staff shortages, the Manager stated that the Council will have to deal with staff shortages through the re-deployment of staff to areas of greatest need.

LEASING OF HOUSES SCHEME **432**

Report dated 28th June, 2010 was already circulated to each member.

On the proposal of Cllr. Finnerty, seconded by Cllr. McDonagh, it was agreed that this item be deferred to the September Monthly Meeting of the Council.

FLOODING UPDATE **433**

Report dated 23rd July, 2010 was circulated to each Member and was presented by the Manager.

A discussion took place and the following points were made by the Members:

- The Joint Working Group was complimented on progress to date and the Members were optimistic that the work programme presented would be completed.
- The Members welcomed the proposed construction of a flood eye at Claregalway Bridge but stated that the Council needs to put a traffic management plan in place to avoid traffic problems on the N17 when this work is being carried out.
- Disappointment was expressed at the lack of progress regarding a scheme for re-location for families where there is no solution to the flooding problem

The Manager thanked the Members for their comments and she stated that the Council has contributed a lot of resources to the flooding issue, as has the Office of Public Works.

She stated that the Council has been unsuccessful in their efforts to date in relation to a scheme for re-location and that this issue will be raised again with the OPW.

In reply to issues raised regarding proposed works on Claregalway Bridge, Mr. Gilmore confirmed that Galway County Council is liaising with the OPW and the Consultants in this regard.

Mr. Dolly confirmed that approval to a third tranche of Minor Works Schemes is awaited from the OPW.

ECONOMIC WORK OF GALWAY COUNTY COUNCIL **434**

“Mid Term Report 2010” was circulated to each Member.

It was agreed by the Members to defer this item.

PRESENTATION ON NEW CALENDAR OF EVENTS – GALWAY.IE **435**

It was agreed by the Members to defer this item.

MAYORS BUSINESS **436**

Cllr. Willers raised the issue of Sunday Markets stating that it is not fair to retailers who pay their rates if Sunday Markets are allowed to operate on private property without planning permission. Cllr. Willers proposed that if trading is being carried out without planning permission, enforcement notices under the planning legislation should be issued to the property owner (if known) rather than the trader and this proposal was seconded by Cllr. Carroll, and agreed.

Mr. Gilmore informed the Members that the 2011-2013 Multi Annual Scheme of Grants for Regional and Local Roads is being prepared at the moment and must be submitted to the NRA by 10th September, 2010. He stated that if the Members wish to make submissions on the scheme, they should contact the relevant area office staff in order to do so.

The Mayor asked that RPS Consultants be invited to address the Members at the September Meeting of the Council regarding water abstraction from the River Shannon. Mr Cullen confirmed that this would be arranged.

Cllr. Hoade proposed that the Western Development Commission be asked to make a presentation to the Council at a future meeting and this proposal was seconded by Cllr. Walsh and agreed.

In reply to a query from Cllr. Carroll regarding the proposed Oranmore train station, Mr. Owens stated that the Council met with Irish Rail and a planning application for the station, carpark and access road is being prepared which Irish Rail hope to lodge by the end of the year with a view to opening the station by the end of 2011.

Cllr. S. Walsh stated that the right of way at the pier in An Cheathru Rua has been narrowed due to the construction of a wall by a local landowner and he asked that the Council consider making the access road an official public right of way.

CONFERENCES

437

On the proposal of Cllr. Mullins and seconded by Cllr. Feeney the proposed attendances at conferences was agreed.

13th Lough Ree Environmental Summer School & Arts Festival 2010 – 7th – 11th July – Lanesborough, Co. Longford

Cllr. S Kyne, Cllr. T Welby

Superior Training – Local Government Roads & Transport Services – 9th – 11th July – West Cork Hotel, Skibbereen, Co. Cork

Cllr. C Keaveney, Cllr. T McHugh, Cllr. T Walsh, Cllr. P Feeney, Cllr. M Maher

Celtic Conferences – A Practical Guide to Media Skills – 15th – 18th July – Celtic Ross Hotel, Rosscarbery, Co. Cork

Cllr. J McClearn

Esperanza Enterprises – Housing (Miscellaneous Provisions) Act 2009 – 16th – 18th July 2010 – Glenroyal Hotel, Maynooth, Co. Kildare

Cllr. P Roche, Cllr. T McHugh, Cllr. T Walsh, Cllr. C Keaveney

MacGill Summer School – Reforming the Republic – Issues of Politics, Economics & Accountability – 18th – 24th July – Glenties, Co. Donegal

Cllr. C Keaveney, Cllr. M Connolly, Cllr. S Ó Tuairisg, Cllr. S Kyne, Cllr. P Feeney, Cllr. T Broderick

Parnell Summer School 2010 – The Role of Media in Politics & Society – 8th 13th August – Avondale House & Forest Park, Rathdrum, Co. Wicklow

Cllr. M Connolly

NOTICE OF MOTIONS

NOTICE OF MOTION NO 18 – CLLR. M. FAHY

438

The following reply was given:-

“The existing Road Traffic (Special Speed Limits) County Galway Bye-Laws 2010 were implemented in April 2010. This location will be considered in the context of the future review of the Bye-Laws 2010 and in the interim the existing signage and road markings will be examined and improved if deemed necessary.”

NOTICE OF MOTION NO 19 – CLLR. M. FAHY

439

The following reply was given:-

“It is anticipated that work on this road will be undertaken in the coming weeks.”

NOTICE OF MOTION NO 20 – CLLR. M. FAHY 440

The following reply was given:-

“The opening of the M17 Gort to Crusheen motorway scheme will substantially reduce the amount of traffic on the old N18 passing through Gort. It is anticipated that this will remove the need for the traffic signals at the junction with the N66. The situation will be reviewed after the opening of the Motorway.”

NOTICE OF MOTION NO 21 – CLLR. P. HYNES 441

The following reply was given:-

“Legal Agreements were sent to the applicant’s solicitor in relation to the transfer of a site in June 2009 and the matter rests therein.”

NOTICE OF MOTION NO 22– CLLR. P. HYNES 442

The following reply was given:-

“As the cost of purchase of demountable dwellings has to be funded through internal resources and cannot be recouped from the Department of the Environment it is unlikely that the Council will be purchasing any new Demountable dwellings in the current year. A scheme house would perhaps be an alternative the applicant might consider.”

NOTICE OF MOTION NO 23– CLLR. P. HYNES 443

The following reply was given:-

“It is anticipated that the issue of the ESB pots on the public footpath outside Duniry Church and School will be addressed in the coming weeks.”

NOTICE OF MOTION NO 24– CLLR. P. CONNAUGHTON 444

The following reply was given:-

“This road is not included in the 2010 Roads Programme and accordingly funding is not currently available for restoration works. However, the road will be scheduled for routine maintenance including minor repair works.”

NOTICE OF MOTION NO 25 – CLLR. P. CONNAUGHTON 445

The following reply was given:-

“Sewage sludge spreading is carried out according to the Sewage Sludge Regulations 2009. Galway County Council cannot prevent the spreading of sludge in an area provided that it is spread according to the regulations.”

NOTICE OF MOTION NO 26 – CLLR. P. ROCHE 446

The following reply was given:-

“The Council is satisfied that the road surface is adequate for the existing 50kph speed limit, notwithstanding same the possibility of providing a high skid resistance surface at the location is currently being examined.”

NOTICE OF MOTION NO 27 – CLLR. P. ROCHE 447

The following reply was given:-

“The kerbed island at this location was removed a number of years ago and it is not currently intended to re-instate same. Minor junction improvements are proposed for the junction and will be undertaken in the coming months.”

NOTICE OF MOTION NO 28 – CLLR. S. CANNEY 448

The following reply was given:-

“The following works have recently been undertaken at the above location in accordance with the NRA Regional Road Safety Engineer’s recommendations:

- Replacement of studs along centreline of road and edge of carriageways for a length of 258m
- Erection of 13 new chevron signs bringing the total number of chevron signs (double-sided) in place to 17
- Relocation of 2 existing flag signs on local road L6510
- Installation of a new junction definition post on local road L6510
- The installation by Rennicks of 2 Vehicle Actuated Signs along with 2 gateway signs.”

NOTICE OF MOTION NO 29 – CLLR. S. CANNEY 449

The following reply was given:-

“Galway County council can confirm that there are now two revenue collectors based in the Tuam office. Given the current embargo on recruitment it is not envisaged that any additional staff will be transferred to the regional offices. There will be additional costs incurred in providing a full cash receipting facility in the Tuam office and these will be assessed as part of the forthcoming budgetary process. In addition there will be a training requirement and we are currently preparing plans to deliver the required training in the near future.”

NOTICE OF MOTION NO 30 – CLLR. S. CANNEY

450

The following reply was given:-

“This matter is currently under consideration with a view to determining if the provision of additional signage is appropriate.”

Criochnaigh an Cruinniú Ansin