

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE AULA
MAXIMA, NUIG, GALWAY ON MONDAY 23rd JUNE, 2014 COMMENCING AT 2.00 PM**

CATHAOIRLEACH:

Cllr. M. Hoade, Cathaoirleach of the County of Galway

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, D. Burke, J. Byrne, N. Byrne, S. Canney, J. Charity, D. Connolly, M. Connolly & G. Cronnelly, Comh. S. Ó Cualáin, Cllrs. J. Cuddy & S. Cuniffe, Comh. T. Ó Curraoin, Cllrs. S. Donnellan, A. Donohue, M. Fahy, G. Finnerty, M. Finnerty, M. Fitzmaurice, T. Healy, P. Hynes, F. Kearney, P. Keaveney, D. Killilea, M. Kinane, M. Maher, J. McClearn, K. McHugh, T. McHugh, M. Noone, A. Rabbitte, P. Roche, N. Thomas, S. Walsh & T. Welby

Oifigigh:

Ms. M. Moloney, Chief Executive; Messrs. J. Cullen & K. Kelly, Directors of Services; L. Gavin & M. Raftery A/Directors of Services; G. Mullarkey, Head of Finance; M. Owens, County Secretary & Meetings Administrator; P. Ó Neachtain, Oifigeach Gaeilge & G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1798

A resolution of sympathy was extended to the following:

- Mrs. Maureen Kelly & Family, Drimnahun, Rosscahill, Co. Galway.
- Mrs. Kathleen Burke, Ballyduggan, Loughrea, Co. Galway.
- Mr. John Muldoon, Gortanumera, Portumna, Co. Galway.
- Mrs. Bernie Leonard, Moyglass, Loughrea, Co. Galway.
- Mr. Cathal O'Donoghue, Ardahan, Co. Galway.
- Mrs. Mary Scully, Rindifin, Gort, Co. Galway.
- Mr. John Kenny, Moyglass, Loughrea, Co. Galway.
- Mrs. Mary Philomena Scully & Family, Cloonahaha, Gort, Co. Galway.
- Muldoon Family, Gortanumera, Portumna, Co. Galway.
- Mrs. Mary Dooley, Ballintubber, Kilrickle, Loughrea, Co. Galway.
- Mrs. Bridie Finnerty, Clough, Gurteen, Ballinasloe, Co. Galway.

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- Mrs. Bernie McGrath, “The Wood”, Cregmore, Claregalway, Co. Galway.
- Mr. Thomas Caulfield, Kiltroque, Claregalway, Co. Galway.
- Mrs. Brid Mc Donnell, Racoona, Claregalway, Co. Galway.

CONFIRMATION OF MINUTES OF MEETINGS

1799

The Minutes of the Monthly Meeting held on 28th April, 2014 were approved by the Council and signed by the Cathaoirleach, on the proposal of Cllr. Maher, seconded by Cllr. McHugh.

Arising from the Minutes, Cllr. D. Connolly referred to Page 3 and raised a query regarding the transfer of the Housing function from Ballinasloe Town Council to Galway County Council. Mr. Kelly replied that most of the functions of Ballinasloe Town Council have been transferred at this stage, with the exception of a number of issues to be finalized including the Housing Liaison Officer function. He confirmed that a member of staff was based in Ballinasloe to address housing issues.

Cllr. D. Connolly also referred to Page 11 of the Minutes and his proposal regarding Irish Language competency of staff recruited to the Council. Mr. Owens replied that the Resolution in this regard was forwarded to the Department but no reply had been received to date.

The Minutes of the Annual Meeting held on 6th June, 2014 were approved by the Council and signed by the Cathaoirleach, on the proposal of Cllr. Maher, seconded by Cllr. Walsh.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION

1800

The Report of the Housing S.P.C. Meeting held on 26th March, 2014 was approved by the Council on the proposal of Cllr. Walsh, seconded by Cllr. Noone.

The Report of the Planning, Economic Development & Community S.P.C. Meeting held on 3rd February, 2014 was approved by the Council on the proposal of Cllr. Roche, seconded by Cllr. Fahy.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.1763 HECTARES AT CAHERATEEMORE NORTH, ATHENRY, CO. GALWAY

1801

Statutory Notice and Report dated 12th June, 2014 were already circulated to each Member.

On the proposal of Cllr. Maher, seconded by Cllr. Noone, the disposal of 0.1763 hectares at Caherateemore North, Athenry, Co. Galway in accordance with the terms of the Statutory Notice dated the 12th June 2014 was agreed.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – REALIGNMENT OF THE N67 – BALLINDERREEN TO KINVARA, CO. GALWAY.

1802

Part 8 Manager's Report was already circulated to each Member.

A discussion took place regarding the proposed realignment of the N67 Ballinderreen to Kinvara with contributions from Cllrs. G. Finnerty, Fahy & J. Byrne welcoming the development but highlighting the need to address outstanding concerns raised by the local community.

Mr. Gavin addressed the issues raised relating to communication with local residents, the need for ongoing consultation as the detailed design of the scheme was progressed, ensuring no impact on St. Coleman's Well, the development of the existing alignment as cycleways and the requirement for the consent of the NRA for amendment to the speed limit.

Mr. Gavin confirmed that it was intended to advance the detailed design of the scheme to allow for work to commence in 2015, subject to funding.

Cllr. Byrne proposed "that a Meeting be convened with stakeholders, namely: Galway County Council officials, NRA officials, NPWS, relevant Archaeologist, local residents and Kinvara Community Council to alleviate concerns, in particular between Chainage 180.0 and 620.0 as outlined in Drawing GE-01. An agenda for said Meeting will be forwarded to Galway County Council". This proposal was seconded by Cllr. G. Finnerty and agreed.

Mr. Gavin in reply to Cllr. J. Byrne confirmed that issues raised in relation to immediate safety concerns would be considered while the scheme was being advanced.

On the proposal of Cllr. Fahy, seconded by Cllr. J. Byrne, the proposed realignment of the N67 Ballinderreen to Kinvara Road, as outlined in the Manager's Report, was approved.

TO CONSIDER AGREEMENT WITH WESTMEATH COUNTY COUNCIL PURSUANT TO SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 – GALWAY TO DUBLIN GREENWAY (BALLINASLOE TO GALWAY CYCLEWAY)

1803

Report & Proposed Section 85 Agreement were already circulated to each Member.

The Members broadly welcomed the proposed Greenway with a range of issues being addressed by Mr. Gavin.

Mr. Gavin advised that the Section 85 Agreement as proposed allows Westmeath County Council to advance the Greenway within the administrative area of Galway County Council including design, public consultation process and liaison with the relevant landowners.

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Mr. Gavin in response to a range of issues raised confirmed that no route has been selected yet for the Ballinasloe to Galway City stretch of the Greenway but he said that the criteria for route selection will include that it be off-road and will be through towns and villages in order to generate business locally.

He confirmed that it was too early to indicate if it would be possible to access the necessary lands by means of permissive access or if a monetary payment was required and that the lessons from the M6 project would be reflected in the approach to the scheme.

Mr. Gavin advised that regular updates would be provided on the scheme including a full report on the final route selection.

In reply to Cllr. Welby, Mr. Gavin said that funding has been allocated to allow for the commencement of the proposed Greenway from Galway City to Moycullen and on to Oughterard. He said that the Council will commence consultation with the landowners shortly based on the grant allocation.

Cllr. Healy referenced the Conamara Greenway and in particular the impact on the local road network in Clifden in terms of increased traffic associated with the Greenway and requested that consideration be given to appropriate measures to address the concerns of local residents.

Cllr. Maher said he wished to compliment Michael Curley, Sports Development Officer with Galway County Council, on organizing many events around the County during National Bike Week.

On the proposal of Cllr. M. Finnerty, seconded by Cllr. M. Connolly, it was agreed that the Agreement with Westmeath County Council pursuant to Section 85 of the Local Government Act 2001 be adopted.

APPOINTMENT OF 6 MEMBERS TO THE GALWAY AND ROSCOMMON EDUCATION AND TRAINING BOARD (GRETB)

1804

Report dated 17th June 2014 was already circulated to each Member.

Mr. Owens referred to the Report dated 17th June 2014 and said that, based on the Regulations attached, Galway County Council is required to establish a panel of all the female members and a panel of all the male members and from same the Council is required to elect 3 members of the female panel to the Galway and Roscommon Education and Training Board and to elect 3 members from the male panel to the Board.

The Members confirmed to the Cathaoirleach that a Group System was in operation.

Cllr. McClearn asked for confirmation regarding the number required to form a Group under the Group System. Mr. Owens then took a roll-call of the Members present and confirmed that based on an attendance at the time of 36 Members that 6 Members were required to form a Group.

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A nomination from the following Group of Councillors nominating Cllr. K. McHugh for appointment to the Galway and Roscommon Education and Training Board (GRETB):
Cllrs. Cuddy, Charity, Canney, K. McHugh & Cuniffe & Comh. Ó Cualáin (6 no.)

The Cathaoirleach ruled that the nomination was valid and she accordingly declared Cllr. K. McHugh appointed as a Member of the GRETB.

A nomination from the following Group of Councillors nominating Cllr. Healy for appointment to the Galway and Roscommon Education and Training Board (GRETB):
Cllrs. Cronnelly, Healy, D. Connolly, Welby & Broderick & Comh. Ó Curraoin (6 no.)

The Cathaoirleach ruled that the nomination was valid and she accordingly declared Cllr. Healy appointed as a Member of the GRETB.

It was proposed by Cllr. M. Connolly, seconded by Cllr. G. Finnerty and agreed by the Members, not forming a group for the purpose of appointments to the Galway and Roscommon Education and Training Board, that Cllr. A. Rabbitte be appointed.

It was proposed by Cllr. M. Connolly and seconded by Cllr. G. Finnerty and agreed by the Members, not forming a group for the purpose of appointments to the Galway and Roscommon Education and Training Board, that Cllr. D. Burke be appointed.

It was proposed by Cllr. McClearn, seconded by Cllr. T. McHugh and agreed by the Members, not forming a group for the purpose of appointments to the Galway and Roscommon Education and Training Board, that Cllr. E. Mannion be appointed.

It was proposed by Cllr. McClearn, seconded by Cllr. T. McHugh and agreed by the Members, not forming a group for the purpose of appointments to the Galway and Roscommon Education and Training Board, that Cllr. Maher and be appointed.

As a result of the foregoing, the following are the 6 Members appointed to the Galway and Roscommon Education and Training Board:

Cllr. Tom Healy,
Cllr. Karey McHugh,
Cllr. Anne Rabbitte,
Cllr. Dónal Burke,
Cllr. Eileen Mannion,
Cllr. Michael Mogie Maher.

ESTABLISHMENT OF THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE **1805**

Report dated 20th June, 2014 was circulated to each Member.

Mr. Kelly referenced discussions with the Corporate Policy Group and discussions surrounding the establishment of the LCDC by the previous Council. He advised the

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Members that in accordance with legislation it was necessary to agree to the establishment of the LCDC and the nomination of 3 Members of the Council to be members of the LCDC. He said that item 7(c) Appointment of nominees to the LCDC is being deferred to the next Meeting of the Council.

Mr. Kelly said it should be noted that the Community & Voluntary Sector Representatives are interim nominations until the final nominations are received from the Public Participation Network Colleges.

A lengthy discussion took place regarding the membership of the LCDC, centered on the inclusion of the HSE to represent the state agencies sector and the selection process used to identify the representatives of the Community & Voluntary Sector.

Mr. Kelly in response clarified that it is not a function of the Council to decide on any representative of the LCDC, other than the nomination of 3 Members of the Council and the Council cannot change the structure of the Committee as set down.

Mr. Kelly confirmed that the legislation requires that, no later than the 1st Meeting of the Council after the formation of the Corporate Policy Group, the LCDC must be established and the nomination of Members of the Council to be members of the LCDC must be agreed. The legislation also requires that nominees shall be appointed to the Committee by Resolution of the Council. He said he understands that this is a very tight timeframe, but the Council must comply with the legislation.

In reply to concerns expressed and queries raised by the Members relating to the selection process utilised by the Community & Voluntary Sector, Mr. Kelly clarified that the names were presented for information purposes only, that the Members were not being asked to approve the nominees at the meeting. He advised that in the absence of availing of the structure of the Community & Voluntary Forum it was necessary to leave the positions empty pending the establishment of the Public Participation Networks.

The Cathaoirleach read out two proposals which had been made by the Members as follows:

Cllr. Kinane proposed “that Motion 7(a) and 7(b) be delayed until full clarification of the various group appointments process is made clear to all Council Members so that all interested groups are represented equally”. This proposal was seconded by Cllr. Rabbitte.

Cllr. Broderick proposed “that the HSE be removed from the make up of the state agencies from which we are to draw membership to set up the new LCDC. This proposal is in light of the fact that

- (a) The premature closure of the 22 acute mental health beds in the East Galway Mental Health Area
- (b) The closure of “Stepping Stones” shop in Ballinasloe (see page 3 of Minutes of 28/4/14).
- (c) The current supposedly independent review of the maternity services in the HSE West Area.

We further propose that the Department of Transport be included to ensure a choice of state agencies, the reason for choosing the Department of Transport is they would provide a lot of experience with regard to R.T.S., sustaining rural taxi services and influence over Iarnróid Éireann and C.I.E.” This proposal was seconded by Cllr. D. Connolly.

Mr. Kelly said that the views of the Members were being heard but it is not possible to take a resolution which is contrary to legislation. The legal provision is that if the Members fail to make a decision on the establishment of the LCDC, it will be established automatically within 60 days and the Council will have failed to comply with legislation.

Cllr. Kinane said that she understands that the Council cannot fail to comply with legislation but she said there is a lack of clarification as regards the Membership of the LCDC.

Cllr. Rabbitte wished to put on record that she feels the Members have not been given an opportunity to voice their opinion regarding the membership of the LCDC but she accepts that the legislation must be complied with.

The Cathaoirleach said that the two proposals are outside the remit of the Council as it is not possible for the Council to change the Membership of the LCDC. Therefore, she said that the proposals could not be agreed.

It was proposed by Cllr. Fahy, seconded by Cllr. Maher to establish the Local Community Development Committee.

A vote took place regarding the Establishment of the LCDC and the result was as follows:

For: Cllr. Burke, J. Byrne, N. Byrne, M. Connolly, Donnellan, Donohue, Fahy, G. Finnerty, M. Finnerty, Hoade, Kearney, Keaveney, Killilea, Kinane, Maher, McClearn, T. McHugh, Noone, Roche, Thomas, Walsh. **[21]**

Against: Cllr. Broderick, Canney, Charity, D. Connolly, Cronnelly, Comh. Ó Cualáin, Ó Curraoin, Cllr. Cuniffe, Fitzmaurice, Healy, Hynes, K. McHugh, Welby **[13]**

Abstained: Cllr. Cuddy, Rabbitte **[2]**

The Cathaoirleach declared the motion carried.

NOMINATION OF MEMBERS OF THE COUNCIL TO BE MEMBERS OF THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE **1806**

It was confirmed to the Cathaoirleach that the Group System was in operation for the purpose of nomination of members of the Council as members of the LCDC.

It was confirmed that a total of 36 Members were present at the time the item was taken.

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A nomination from the following Group of Councillors nominating Cllr. D. Connolly for appointment to the Local Community Development Committee (LCDC)
Cllrs. D. Connolly, Healy, Cronnelly, Welby, Broderick, Cuddy, K. McHugh, Charity, Cunniffe, Canney & Fitzmaurice & Comh. Ó Cualáin & Comh. Ó Curraoin (13 no.)

The Cathaoirleach ruled that the nomination was valid and she accordingly declared Cllr. D. Connolly appointed as a Member of the LCDC.

It was proposed by Cllr. T. McHugh, seconded by Cllr. M. Maher and agreed by the Members, not forming a group for the purpose of nomination of members of the Council as members of the LCDC, that Cllr. J. McClearn be appointed.

It was proposed by Cllr. M. Connolly, seconded by Cllr. G. Finnerty and agreed by the Members, not forming a group for the purpose of nomination of members of the Council as members of the LCDC, that Cllr. N. Thomas be appointed.

As a result of the foregoing, the following Members were appointed as Members of the Local Community Development Committee:

Cllr. D. Connolly
Cllr. J. McClearn
Cllr. N. Thomas

APPOINTMENT OF NOMINEES TO THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE

1807

It was unanimously agreed to defer the appointment of nominees to the local community development committee.

TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES IN ACCORDANCE WITH SECTION 142 OF THE LOCAL GOVERNMENT ACT 2001 AND THE LOCAL GOVERNMENT ACT 2001 (SECTION 142) REGULATIONS 2010.

1808

Report as circulated at the meeting.

Cllr. Walsh declared an interest in this Item and left the Meeting for the duration of the consideration of this Item.

Mr. Owens said that no Member had expressed their interest in attendance at forthcoming Conferences.

TO NOTE THE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED IN ACCORDANCE WITH SECTION 142(5)(F) OF THE LOCAL GOVERNMENT ACT 2001

1809

Reports as circulated at the meeting.

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On the proposal of Cllr. McClearn, seconded by Cllr. Kearney, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Maher as follows:

Ace Training – 2014 European Elections Information Seminar – 3rd – 5th January 2014 – Four Seasons Hotel, Carlingford, Co. Louth

On the proposal of Cllr. Maher, seconded by Cllr. Connolly, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Maher as follows:

Ace Training – Rural Housing - Planning & Development Design Guidelines – 17th – 19th January – Four Seasons Hotel, Carlingford, Co. Louth

On the proposal of Cllr. Finnerty, seconded by Cllr. Noone, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Roche as follows:

Esperanza Enterprises – Keeping Communities Safe – Fire Safety – 7th – 8th April – Westport Plaza Hotel, Westport, Co. Mayo

On the proposal of Cllr. McClearn seconded by Cllr. Kearney it was agreed to note the summary of proceedings at the Conference attended by Cllr. Maher as follows:

Ace Training – Sport & Community Planning – 7th – 9th February – Four Seasons Hotel, Carlingford, Co. Louth

On the proposal of Cllr. McClearn, seconded by Cllr. Maher, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Roche as follows:

Esperanza Enterprises – Powers of Local Authorities to Stem Anti-Social Behaviour – 14th – 15th February – Manor West Hotel, Tralee, Co. Kerry

On the proposal of Cllr. Kearney, seconded by Cllr. Maher, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Hoade as follows:

ACCC Annual Conference – Councillors & change ... new challenges for Irish local government – 6th – 7th March – Slieve Russell Hotel, Ballyconnell, Co. Cavan

On the proposal of Cllr. M. Connolly, seconded by Cllr. Kearney, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Maher as follows:

Ace Training – Meeting Principles Management Principles – 21st – 23rd March – Celtic Ross Hotel, Rosscarbery, Co. Cork

On the proposal of Cllr. Roche seconded by Cllr. Kearney, it was agreed to note the summary of proceedings at the Conference attended by Cllr. T. Mannion as follows:

Ace Training – Retirement Entitlements & Taxation Benefits – 28th – 30th March – Celtic Ross Hotel, Rosscarbery, Co. Cork

On the proposal of Cllr. McClearn, seconded by Cllr. Roche, it was agreed to note the summary of proceedings at the Conference attended by Cllr. Welby as follows:

Bord Iascaigh Mhara – Capturing Ireland’s Share of the Global Seafood Opportunity – 2nd April – Aviva Stadium, Ballsbridge, Dublin

On the proposal of Cllr. McClearn seconded by Cllr. T. McHugh it was agreed to note the summary of proceedings at the Conference attended by Cllrs. T. Walsh and J. McDonagh as follows:

Esperanza Enterprises – Data Protection – 4th – 5th April – Áras an Mhuilinn, Jail Hill, Mount St., Mullingar, Co. Westmeath

On the proposal of Cllr. T. McHugh seconded by Cllr. McClearn it was agreed to note the summary of proceedings at the Conference attended by Cllr. T. Walsh as follows:

BG Seminarz – Environmental & cost effective solutions to waste water management – 11th – 13th April – Viking Ramada Hotel, Waterford

On the proposal of Cllr. Roche, seconded by Cllr. McClearn, it was agreed to note the summary of proceedings at the Conference attended by Cllr. S. Walsh as follows:

BG Seminarz – The Elected Member, the Environment & the Community – 25th – 27th April – Clanree Hotel, Letterkenny, Co. Donegal

On the proposal of Cllr. Maher, seconded by Cllr. G. Finnerty, it was agreed to note the summary of proceedings at the Conference attended by Cllr. S. Walsh as follows:

BG Seminarz – River Flooding & Management Issues – 2nd – 4th May – Clanree Hotel, Letterkenny, Co. Donegal

On the proposal of Cllr. Kearney, seconded by Cllr. Roche, it was agreed to note the summary of proceedings at the Conference attended by Cllr. T. Mannion as follows:

BG Seminarz – Managing Change in Local Government – 9th – 11th May – Quality Hotel, Killarney, Co. Kerry

TO RECEIVE AN UPDATE ON THE PROGRAMME OF FLOOD MITIGATION WORKS AND SCHEMES INCLUDING COASTAL PROTECTION **1810**

Report dated 13th June, 2014 was already circulated to each Member.

Mr. Gavin presented the Report to the Members and following a discussion, he responded to issues raised as follows:

Schemes are not approved for funding by the Office of Public Works unless they pass the Cost Benefit Analysis criteria. Flooding of land is not considered high priority compared with flooding of roads, houses and other premises.

Major works are proposed under the Dunkellin River and Aggard Stream Flood Relief Scheme and the Council gave a commitment to bring the proposal back for a one-day public consultation and this will be held in early July and will be advertised through the media. The Scheme will then be submitted to An Bord Pleanála for approval.

Cllr. Noone referred to the Clare River Flood Relief Scheme and made the following proposal “that Galway County Council put the question to the Department of Finance as to when the money is going to be released and/or is there a problem in relation to the proposed scheme going ahead and when”. This proposal was seconded by Cllr. Rabbitte and agreed.

Cllr. Cuddy proposed “that Galway County Council use their powers under the Road Traffic Act to deal with the flooding situation at Rinville West since all attempts at mediation with local landowners have not resolved the problem”. This proposal was seconded by Cllr. K. McHugh and agreed.

Mr. Gavin said the Council would prefer to receive the necessary land at Rinville West by agreement and he is hopeful of a successful outcome to discussions in this regard in the near future.

In relation to the proposed Kiltiernan/Ballinderreen Scheme, he said that the Cost Benefit Analysis needs to be met and it is proposed that this scheme be submitted on a phased basis to the OPW for approval.

In relation to the two damaged piers at Kinvara, he said he will bring this matter up with the Department of Agriculture & Marine.

In relation to Inishboffin, Mr. Gavin said that the north and south shores were badly damaged by the storms. He said that the south shore has existing protection in place and the Council will repair same, however he said the north shore has no existing protection and the Council has applied for funding from the Department and awaits a reply in this regard.

**FINANCIAL REPORT ON THE ACCOUNTS OF GALWAY COUNTY COUNCIL FOR THE PERIOD
ENDING 31ST MARCH, 2014.**

1811

Report dated 20th June, 2014 was already circulated to each Member.

A discussion took place regarding the Financial Report and Mr. Mullarkey replied to queries raised by the Members.

He said that all costs incurred by Galway County Council in relation to Water Services since the Service Level Agreement was signed have been reimbursed by Irish Water. He also said that the relevant legislation provides for the transfer of assets and liabilities to Irish Water without payment of compensation to the Council.

In reply to a query regarding Coroners' Fees, Mr. Mullarkey said that this is a function of the Local Authority under Statute and the City Council pays a contribution to the County Council to cover the City area.

Cllr. D. Connolly referred to Notice of Motion No. 15 on the Agenda and he proposed "that Galway County Council uses its powers under current legislation to reduce the Local Property Tax by 15%". This proposal was seconded by Cllr. Cronnelly.

Mr. Mullarkey said that if the Local Property Tax is reduced by 15% the Council will have to fund the short-fall or else may need to cut services.

In reply to queries from the Members, he said that the Revenue Commissioners and the Department of the Environment, Community & Local Government must be informed by 30th September, 2014 if an amendment in the rate of the Local Property Tax within a range of 0 – +/- 15% is agreed. He advised that the relevant legislation applied from the 1st July 2014 and that it was not possible to make a determination on the matter prior to this date. He further advised that a range of information was required to be presented to the Members to allow for informed consideration of the matter and that it was not possible to present same at the July Meeting. He advised that it was appropriate to consider the issue at the September Monthly Meeting of the Council thereby giving the Executive time to ensure that the Members have the necessary financial information in order to make an informed decision within the timeline required by the Department and Revenue.

Cllr. Killilea proposed "that a decision would be made on the % reduction in the property tax for 2015 at the September Meeting of the Council and would be on the Agenda for that Meeting. It is important that Councillors are given the financial implications to this first". This proposal was seconded by Cllr. S. Donnellan and agreed.

Cllr. Cuddy proposed "that in future no development contribution charges should apply to future planning applications since the property tax is supposed to finance local services." This proposal was seconded by Cllr. Broderick.

A discussion took place regarding development contributions and Mr. Kelly replied to queries raised as follows:

He said that the difference between Property Tax and Development Contributions is that income from Property Tax goes to the Council's Revenue code and income received from Development Contributions goes to the Capital code.

Mr. Kelly also said that the Development Contributions Scheme is being revised at present and will be brought back before the Councillors in the coming months.

Mr. Kelly said that any changes to the Development Contributions Scheme must be made under statutory legislation and therefore it is not possible for the Councillors to make a decision as proposed by Cllr. Cuddy.

Cllr. Charity expressed the view that the relevant legislative provisions did not prohibit the motion as proposed by Cllr. Cuddy. Mr. Kelly advised that as he did not have prior notice of the motion he was not in a position to review the legislative provisions in the context of the view expressed by Cllr. Charity.

Mr. Kelly clarified that no charge was currently levied by Galway County Council under the Development Contributions Scheme in respect of water infrastructure.

Following discussion it was agreed to defer the motion, proposed by Cllr. Cuddy and seconded by Cllr. Broderick to allow for the matters raised and the relevant legislative basis to be appropriately considered.

The Financial Report on the Accounts of Galway County Council for the period ending 31st March, 2014 was noted by the Members on the proposal of Cllr. Maher, seconded by Cllr. G. Finnerty.

SUSPENSION OF STANDING ORDERS

1812

On the proposal of Comh. Ó Curraoin, seconded by Cllr. M. Connolly, it was agreed that the Standing Orders be suspended in order to allow the Meeting continue after 6pm.

TO DETERMINE THE ALLOWANCE FOR THE OFFICE OF CATHAOIRLEACH OF THE COUNTY OF GALWAY

1813

The Cathaoirleach declared an interest in this item and withdrew from the meeting for the duration of the consideration of the item.

It was proposed by Cllr. Maher, seconded by Cllr. G. Finnerty, and agreed, that Cllr. McClearn assume the Chair for the duration of discussions on this item.

A discussion took place regarding the allowance to be paid to the Cathaoirleach.

Cllr. Welby said that as the Members had adopted the Budget for 2014 which included the Mayor's allowance of €48,000, this amount should not be changed as it is a reserved function of the Councillors to adopt the Budget each year.

Cllr. Welby then made the following proposal “that Galway County Council, through its statutory powers, adopted a balanced budget in December 2013 and that the adopted proposals in relation to the Office of Cathaoirleach, Leas-Chathaoirleach and additional Councillor’s allocation are retained as per the adopted budget. Any changes proposed can be dealt with in the 2015 budget going forward. If this motion is defeated we request legal advice”. This proposal was seconded by Cllr. T. Broderick.

In reply to queries, Mr. Owens said that the Minister for the Environment, Community & Local Government, has determined that the maximum amount payable to the Cathaoirleach of the County of Galway is €30,000. In the absence of a determination by the Members, no allowance can be paid to the Cathaoirleach.

The Manager said that it is the function of the Executive of the Council to advise the Elected Members in exercising their functions. She said that the proposal by Cllr. Welby is contrary to current provisions governing the matter under consideration as determined by the Oireachtas and the Minister for the Environment, Community & Local Government and advised the Members against a motion in conflict with the relevant provisions governing the matter.

On the proposal of Cllr. G. Finnerty, seconded by Cllr. Maher, it was agreed that the allowance for the Office of Cathaoirleach of the County of Galway will be €30,000.

The Cathaoirleach rejoined the meeting and resumed the Chair.

TO DETERMINE THE ALLOWANCE FOR THE OFFICE OF LEAS-CHATHAOIRLEACH OF THE COUNTY OF GALWAY **1814**

Cllr. N. Byrne declared an interest in this item and withdrew from the meeting for the duration of consideration of the item.

On the proposal of Cllr. Maher, seconded by Cllr. T. McHugh, it was agreed that the allowance for the Office of Leas-Chathaoirleach of the County of Galway will be €6,000.

CHIEF EXECUTIVE’S BUSINESS & CORRESPONDENCE **1815**

The Chief Executive informed the Members that an allocation of €403,000 has been received from Fáilte Ireland for the development of the 1st Phase of the Greenway from Clifden to Oughterard.

The Chief Executive also referenced an invitation from the Minister for Jobs, Enterprise and Innovation, Deputy Richard Bruton, to the Launch of the Local Enterprise Office, Galway on Friday 27th June, 2014 at Áras an Chontae as previously circulated to each Member.

The following items of correspondence which were circulated at the meeting were noted:

- Correspondence received on the 14th May 2014 from South Dublin County Council asking the Minister to introduce as a matter of priority Mandatory Oxygen Saturation screening with the use of Pulse Oximeters in every Maternity Hospital in

the State as part of the general postnatal assessment of babies. These Pulse Oximeters already exist in all Maternity Hospitals for use in difficult births. Only seven of the twenty Maternity Hospitals in this State use this system, consequently over half of babies born with a heart defect are discharged without a diagnosis and relevant care. This has resulted in death and lifelong health problems which could have been improved with early diagnosis with the use of this simple and quick test.

CATHAOIRLEACH'S BUSINESS

1816

Mr. Cullen in reply to Comh. Ó Curraoin, confirmed that under the Service Level Agreement between Irish Water Galway County Council, the Council's staff continue to respond to problems such as burst pipes in a timely manner. He confirmed that the service to the public in this regard has not changed and the Council will continue to provide emergency response services under the Service Level Agreement with Irish Water.

In reply to Cllr. Healy he said that the Council has access to the database maintained by Irish Water in relation to service requests received from the public in relation to problems with water supply etc.

Mr. Cullen in reply to Cllrs. Noone & D. Connolly indicated that ongoing communication was taking place with the trustees of the Cahergowan Group Water Scheme to secure the replacement of a length of pipe giving rise of leaks and he confirmed that both Cahergowan and Pearse Park schemes were being proposed for taking in charge.

The Cathaoirleach in reply to Cllr. Broderick confirmed that the determination of the allowance payable for the position of Cathaoirleach of the Municipal Districts was a matter for consideration and determination by each Municipal District.

The Chief Executive in reply to Cllr. Healy confirmed that engagement with relevant stakeholders was ongoing to advance the development at Purses Cottage with issues relating to ecology and detailed design to allow for a planning application being advanced.

Cllr. Fitzmaurice moved item 16 on the Clár and a discussion took place regarding the cost of the proposed reconfiguration of the Council Chamber in order to accommodate the increased number of Elected Members from 30 to 39.

In reply the Chief Executive referenced the clarification sought at the Annual Meeting held on the 6th June 2014 in relation to the timeline for the decision to advance the project through procurement and advised that as the matter was considered by Council in April 2014, the timeline to revisit the issue was 6 months from April 2014. The Chief Executive confirmed that the Executive was implementing the decision of the previous Council in advancing the design and procurement process to allow for an extension of the Chamber to facilitate the increase in Members to 39 and that in accordance with decision made by the Members a full report would be brought before the Members on the conclusion of the design and procurement process and prior to proceeding with a contract to facilitate the construction of the extension.

Minutes of June Monthly Meeting held on 23rd June 2014

It was agreed in reply to Cllr. K. McHugh to circulate the preliminary design proposal for the Chamber.

It was proposed by Cllr. McClearn, seconded by Cllr. Cuddy and agreed that the July Monthly Meeting of the Council be held on Monday 21st July commencing at 11am.

Cllr. N. Byrne said that if all Council Meetings are to commence at 11am, it will be difficult for her to attend at that time due to work commitments.

Cllr. McClearn said that in order to accommodate Members who cannot be in attendance in the morning, consideration could be given to items on the Agenda requiring a vote being held over until later in the Meeting. Cllr. Roche referenced the need to develop a proposal in relation to speaking time in the context of the increased membership of the Council and to allow for business to continue to be undertaken in an efficient manner.

The Cathaoirleach said that this is a last Council Meeting to be attended by the Chief Executive, Ms. Martina Moloney as she brings to a close 37 years of dedicated local authority service. She said that during her seven years as Galway County Manager Martina supported the Elected Members and the Mayors with great efficiency and courtesy. She steered the Council through many challenging periods during her term, with reduced funding and staffing resources, including the flooding in 2009, the severe frost in 2010/2011 and the recent storms and flooding in early 2014. The Cathaoirleach outlined that the Chief Executive recognised the importance of engaging with stakeholders such as Community and Voluntary Groups, Government Departments, Failte Ireland, Údarás na Gaeltachta, Roinn na Gaeltachta, An Garda Síochána, the Office of Public Works who all assist the Council in its work of service provision and that during her tenure, many projects were completed around the County through investment in the roads structure, piers and harbours, water and sewerage schemes, housing provision, amenity area provision and libraries.

All of the Members present paid tribute to Ms. Moloney and references were made to her leadership qualities and dedication to public service. She was also described as a very sincere and hard working person who showed great courage in her commitment to the development and betterment of the County.

The Cathaoirleach wished Ms. Moloney the very best of health and happiness in the future.

Mr. Kelly on behalf of the Management Team and staff joined with the Members in acknowledging the contribution of Ms. Moloney to Galway County Council noting her positive working relationship with Members, staff, stakeholders and communities and her exemplary leadership during a difficult and challenging period. He detailed the County Manager/Chief Executive's outstanding work ethic and dedication and her singular focus on what was best for the county and concluded by wishing her well in the future.

Ms. Moloney thanked the Members for their kind words. She said that the term of her appointment at Galway County Manager/Chief Executive was a challenging period for Local Government, particularly in the context of the difficult economic climate in which the

Country found itself. However, the elected Council, executive and staff worked hard to deliver on the commitments contained in the Councils Corporate Plan.

She said that efficiency and cost reduction were achieved in many areas through energy efficiency measures, procurement savings, changes in work processes, staff reduction of almost 1/3, reduction in overtime and increased working hours. This was achieved with the co-operation of staff and helped to minimise the disruption to customers. She said she is extremely grateful for the support commitment, flexibility and diligence of staff during this difficult period.

The Manager said it is important to acknowledge the work of partner organisations in assisting the development of the County over the last five years, including the Department of the Environment, Heritage & Local Government, the National Roads Authority, the Department of Transport, Fáilte Ireland, Údarás na Gaeltachta, Roinn na Gaeltachta, An Garda Síochána and the Office of Public Works who all assisted the Council in its work.

She paid tribute to the Management Team of the Council and wished the Elected Members and Staff of Galway County Council every success in the future.

NOTICES OF MOTION

NOTICE OF MOTION NO. 15 – CLLR. D. CONNOLLY

1817

The following reply was given:-

“The power to vary the base rate of the Local Property Tax is contained in Section 20 of the Finance (Local Property Tax) Act 2012 as amended and comes into operation on 1st July 2014. As the Local Property Tax is now a significant contributor to the Council’s source of funding any decision to vary the base rate will have to be considered as part of the overall budgetary strategy of the Council. We are currently awaiting guidelines from the Department in relation to the implementation of Section 20 of the Finance (Local Property Tax) Act 2012, as amended.”

NOTICE OF MOTION NO. 16 – CLLR. M. FITZMAURICE

1818

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO. 17 – COMH. Ó TUAIRISG

1819

The following reply was given:-

“The Council has submitted a proposal to Irish Water in relation to providing wastewater treatment in Roundstone. Galway County Council has not been given any timeframe in relation to the matter.”

NOTICE OF MOTION NO. 18 – COMH. Ó TUAIRISG

1820

The following reply was given:-

“There is an existing speed limit of 50kph within the village of Ballygconneely extending along the R341 and onto the LP1106 road to Bunowen/Aillebrack. There are no proposals for traffic calming.”

CRIOCHNAIGH AN CRUINNÍÚ ANSIN.