

**MUNICIPAL DISTRICT OF BALLINASLOE**

**MINUTES OF MEETING OF MUNICIPAL DISTRICT OF BALLINASLOE HELD AT BALLINASLOE MUNICIPAL DISTRICT OFFICE, COUNCIL CHAMBER, BALLINASLOE, CO. GALWAY ON WEDNESDAY, 15<sup>th</sup> JULY at 2.00 p.m.**

**CATHAOIRLEACH:** Cllr. Finnerty

**I LATHAIR FREISIN:**

**Baill:** Cllrs. T. Broderick, D. Connolly, M. Connolly, A. Donohue.

**Oifigigh:** Ms. C. McConnell A/Director of Services, Mr. P. Gavican, Director of Services, Mr. E. Molloy, Senior Engineer, Mr. A. Headd, A/ Senior Executive Engineer, Mr. F. McEvoy, A/Senior Executive Engineer, Mr. P. McLynn A/Graduate Engineer, Ms. A. Gardiner, Meetings Administrator, Ms. S. Kennedy, Senior Executive Planner, Ms. E. O'Doherty, Executive Planner, Ms. G. Kavanagh, Assistant Planner, Ms. M. Donohue, Senior Staff Officer, Mr. B. Barrett, Administrative Officer, Ms. C. Morgan, Senior Staff Officer.

**CONFIRMATION OF MINUTES OF: (A) THE ORDINARY MEETING OF THE MUNICIPAL DISTRICT OF BALLINASLOE HELD ON WEDNESDAY, 10<sup>th</sup> JUNE, 2015 AND (B) THE ANNUAL GENERAL MEETING OF THE MUNICIPAL DISTRICT OF BALLINASLOE HELD ON WEDNESDAY, 10<sup>th</sup> JUNE, 2015** MDB14076

The minutes of the Ordinary Meeting of the Municipal District of Ballinasloe held on the 10<sup>th</sup> June, 2015 were approved by the Municipal District Members and signed by the Cathaoirleach on the proposal of Cllr. M. Connolly, seconded by Cllr. Broderick. The minutes of the Annual General Meeting of the Municipal District of Ballinasloe held on the 10<sup>th</sup> June, 2015 were approved by the Municipal District Members and signed by the Cathaoirleach on the proposal of Cllr. Broderick, seconded by Cllr. M. Connolly.

**Matters arising from the Minutes**

In response to Cllr. D. Connolly and with reference to Minute No. MDB14070 Page 1, Mr. Headd advised that he will revert to the members with the expected commencement date for the Derrycahill Bridge project.

In response to Cllr. Broderick and with reference to Minute No. MDB14070 Page 2, Mr. Molloy advised that he would seek to have clarification for the next Ordinary Meeting of the Municipal

District of Ballinasloe from the OPW with regard to the obligations if any that are placed on Insurance Companies to reduce insurance premiums for householders in areas, where flood alleviation measures have taken place.

With reference to Minute No. MDB14075 Page 4, Cllr. Brioderick thanked Mr. Whelan, Resident Engineer for meeting with the business owners in relation to the progression of Phase 1 of the Ballinasloe Main Drainage Advance Scheme.

**DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993**

MDB14077

On the proposal of Cllr. M. Connolly, seconded by Cllr. Donohue, the Council approved the declaration of the following public road to be a public road, the statutory procedure having been complied with:-

**Rathglas Estate, Kilgarve, Ballinasloe, Co. Galway**

1. Point A to Point B: Main link road pavement and footpath, commencing at public road L-86088-0 and extending North West for approximately 226 meters and ending opposite house no. 12 in Rathglas Estate (all in the townland of Kilgarve).
2. Point C to Point D: Road pavement and footpath, commencing at junction with no. 1 above and extending West and North East and ending at house no. 9 Rathglas, a distance of approximately 60 meters (all in the townland of Kilgarve).
3. Point E to Point F: Main link road pavement and footpath, commencing at house no. 10 Rathglas and extending West and North and extending in a circular shape outside house nos. 30, 37, 44 and ending outside house no. 23 for a total distance of approximately 235 meters (all in the townland of Kilgarve).

**UPDATE ON THE DRAFT BALLINASLOE LOCAL AREA PLAN 2015 – 2021**

MDB14078

Ms. Kennedy advised that the purpose of the Meeting was to discuss the submissions received on the Draft Ballinasloe Local Area Plan.

Ms. Kennedy advised the Meeting that the Draft Plan was on public display period from Thursday 2nd April to Thursday 14th May 2015 and a Public consultation afternoon was held in the Ballinasloe Regional Office on 23rd April of which two persons attended. She advised that 25 Submissions were received on the Draft Local Area Plan, 8 from statutory bodies and 17 from the general public. She advised that the Chief Executive Report issued to the Elected Members on the 24th June would be considered at the July County Council Meeting on 20th July 2015, with a view to the final adoption of the Ballinasloe Local Area Plan at the October County Council Meeting.

Ms. Kennedy outlined the main points from each Submission received and the Chief Executives recommendation. She explained that one area of concern arising from the Submissions was the Commercial land zoning at Dunlo which may have a negative impact on the Town Centre. She said that the Chief Executive now proposed, on foot of the Submissions, to change this commercial zoning to a Business & Enterprise (B/E) zoning which allows for a range of commercial uses but excluding convenience retail.

Ms. Kennedy explained that another concern arising from the Submissions on the Draft Plan was flooding and she explained that the Draft Plan was accompanied by a Strategic Flood Risk Assessment (SFRA) report, which was carried out by Arup Consultants. She explained that as Ballinasloe is an Area for Further Assessment (AFA), the OPW's Catchment Flood Risk Assessment Management (CFRAM) maps should be available in the autumn and the CFRAM maps would replace the interim Stage 2 Strategic Flood Risk Management Report. She also advised that the Draft Plan would be accompanied by a Natura Impact Report (NIR) which was undertaken by Moore Group, Consultants, and a Strategic Environmental Assessment report which was prepared in-house.

Following from Ms. Kennedy's outline of the Submissions, Ms. McConnell advised that the submissions and issues that the Members had could be discussed at the MD Meeting but any decisions can only be statutorily taken at the full County Council Meeting on Monday next.

Cllr. D. Connolly said that the proposed 'commercial' zoning (C2) for the entire area of Dunlo in the Draft Plan which would allow further development may affect the vibrancy of the Town Centre and welcomed the new proposed zoning to 'Business & Enterprise' (B/E). He said that the Council needs to ensure that retail development in the Town Centre is nurtured in order to bring life back into the Town Centre. In response, Ms. McConnell said that the change of zoning to 'Business & Enterprise' would allow development of a certain retail size and type, that would not be encouraged into Town Centres e.g. Garden Centres/Cinema/Bulky retail goods etc. to be 'Open for Consideration' in this area. Cllr. D. Connolly said that the Council needs also to be careful not to create a Town Centre in an 'out of Town Centre' site as people and businesses need to be encouraged to take on business opportunities in Town Centres. He said he would welcome if the Council could assist businesses, like Fingal County Council, in relation to a reduction in rates. In response, Ms. McConnell said that Galway County Council is examining this area to seek a scheme to assist Town & Village Centres in the form of a Rates Grant /Rebate, similar to Longford County Council, in order to try to give Town & Village Centres a headstart on Greenfield sites but explained that this is 'work in progress' and any Scheme would be brought to the Elected Members for consideration in due course.

Cllr. Donohue welcomed the change of zoning in the Dunlo area on foot of the submissions received on same and asked if the consolidation of the town boundary was to keep the town more in a hub. In reply, Ms. Kennedy said that it makes the Town Centre more effective as in the previous Ballinasloe Town Plan, there was a lot of zoned whiteland/lot of agricultural zoning and the consolidation makes more sense. Cllr. Donohue proposed that a portion of land to the south west of the land zoning map, as highlighted on a site location map which he presented to

the Meeting, be rezoned Residential Phase 2 from Agriculture. In reply, Ms. McConnell said that as this proposal was not outlined in a Submission received during the public display period, it was not included in the Chief Executive's report but explained that the Elected Members can make proposals that can be considered at the full County Council Meeting.

In reply to Cathaoirleach Finnerty, Ms. McConnell explained that there is no statutory obligation to advise landowners of land which were previously located within the town boundary and now removed following consolidation of the town boundary in the Draft Local Area Plan. She said that the Draft Local Area Plan is available on the Council's website and in the local library and area office and a public consultation day was held for the public to view the draft Local Area Plan. Ms. Kennedy advised that while the public consultation day was advertised in the Connacht Tribune and on local radio there was a disappointing turnout on the day.

Cllr. D. Connolly asked if the Council was accepting the flood risk areas identified by the Consultants prior to the receipt of the CFRAM maps and if on receipt of the CFRAM Maps that the maps differ to the flood risk areas in the Local Area Plan (LAP), could the LAP be reviewed. In reply, Ms. McConnell said that the SFRA maps were considered in consultation with the OPW and the CFRAM consultants, so it was unlikely that there would be much variation between the maps. She explained that the CFRAM will be a more wide ranging document and deals with other flood risk issues and proposed works. She said that the Planning Authority must address areas at risk of flooding going forward and include 1% adjustment for climate change. In reply to Cllr. D. Connolly, she said that the Council is constrained by legal requirements following the dissolution of Ballinasloe Town Council, that by November 2015, a Local Area Plan must be in place for Ballinasloe. She explained that if there is a huge variance between the flood maps and the CFRAM maps, the Local Area Plan may be varied. She said that that the SFRA is a Stage 2 report which sets down areas of flood risk which the planning authority must take on board for zoning decisions but said it was not site specific.

In reply to Cllr. D. Connolly's query re the new town boundary, Ms. McConnell explained that the Local Area Plan boundary has no legal status or statutory basis assigned to it and the boundary only applies for the purpose of the Local Area Plan and it is not an urban boundary designation.

Cllr. Broderick referenced Submission No. 15 - Ciara Croffy for Kathleen Croffy, Lancaster House, Main Street, Ballinasloe - as outlined on the land zoning submissions map and asked if the land in question which is within an Architectural Conservation Area (ACA) would have implications for planning in future. In response, Ms. McConnell said that the ACA area recognises the certain cohesiveness with regard to the built form but it does not pose any legal requirement on development but the designation would be considered at pre-planning stage.

Cllr. D. Connolly referred also to Submission No. 15 - Ciara Croffy for Kathleen Croffy, Lancaster House, Main Street, Ballinasloe – and said while the submission welcomed the continuance of

the Town Centre/Commercial (C1) zoning on this site it is gravely concerned with the 'Constrained Land Use' (CL) zoning that has been applied to part of the site. In response, Ms. Kennedy explained that the existing zoning, Town Centre/Commercial (C1), was retained on this site with a constrained land use designation, in compliance with the objectives of the OPW Planning Guidelines and Departmental Circular PL2/2014. She said that this 'Constrained Land Use' zoning allows for consideration for further development of existing uses/minor changes of use in these areas, subject to a flood risk assessment and the necessary flood prevention measures being applied.

In relation to Submission No. 14 - James O' Donnell for BKT Construction Ltd -as outlined on the land zoning submissions map, Ms. Kennedy advised Cllr. M. Connolly that planning permission has already been granted on this site for a Crematorium. She explained that any ancillary use to a crematorium at this location would be considered on its merits at planning stage as this land is zoned 'Agricultural' in the Draft Local Area Plan and Crematoria are 'Open for Consideration' in the Draft LAP Land Use Zoning Matrix under Agricultural use.

Cllr. M. Connolly referred to Submission No. 2 - Department of Arts, Heritage & the Gaeltacht - and queried why Irish sites must be referenced as European Sites. Ms. Kennedy advised that the Department requested in their Submission that these sites must be collectively known as European Sites as set out in legislation, that is, the Planning and Development Act, 2000, as amended.

Cllr. D. Connolly referred to Submission No. 10 - Gerard Cleary, Cleaghmore, Ballinasloe – and expressed his concern that this site is identified as being in a flood risk area as he said this site was part of the Esker Riada. In response, Ms. Kennedy advised that the site appears to be located within a potential "groundwater" flood risk area and the property is shown as being located in Indicative Flood Zone C, which means that there is a very low risk of fluvial flooding. Ms. McConnell said that this area of potential risk has been reproduced from the existing OPW PFRA study and the designation may be the result of levels. She explained that neither the planning officials nor Elected Members can change flood risk areas as identified by the OPW on their maps. She said that the CFRAM maps may identify that the area is not in a flood risk area but the OPW have undertaken a comprehensive study and they have identified the area as being an area of potential groundwater flood risk and the OPW maps remain in place and are available on the website - [www.floodmaps.ie](http://www.floodmaps.ie). Cllr. D. Connolly explained that the ground is elevated at this site and Mr. Headd, Town Engineer, proposed that the location is examined prior to the County Council Meeting. Ms. McConnell said that the site can be examined but the mapping cannot be changed.

Cllr. D. Connolly referred to Submission No. 11 - Brock Mc Clure, Planning Consultants for Musgroves – and asked if the change in zoning from Commercial (C2) to Business & Enterprise (B/E) would affect either of the developments, Tesco or Aldi, wished to extend their buildings upwards. Ms. Kennedy advised that the zoning remains the same for the Tesco & Aldi sites but any new development on their sites would be subject to the normal planning and development process.

Cllr. Broderick asked if the existing Supermarket at Brackernagh which is now proposed to be zoned Commercial /Mixed Use following consideration of Submission received, and which is mapped as Submission 11 (b) on the Submission zoning map, includes the carpark area. In reply, Ms. McConnell said that the car park could be privately owned and said that the zoning reflects the use on the site already.

Cllr. Broderick queried the residential land zoning of other businesses in the Brackernagh area. In reply, Ms. McConnell said that lands should not be spot zoned and it would not make sense as the street is predominantly residential. She explained that the previous proposed change of zoning from residential to Commercial /Mixed Use (C2) was on foot of a Submission received as the development is also a large retail centre on that street. Ms. McConnell explained that the zoning reflects the aspirations of the Elected Members for a particular location and said that land zoning has no impact on rates. She said that when a Commencement Notice is received for development, the planning authority would notify the Rating Authority. She said that an established business would also be liable for rates even if the business was established prior to the requirement to obtain planning permission.

**PRESENTATION ON THE LOCAL ECONOMIC AND COMMUNITY PLAN – SOCIO ECONOMIC STATEMENT FOR COUNTY GALWAY**

MDB14079

A copy of Presentation entitled – “Presentation on the Local Economic and Community Plan – Socio Economic Statement for County Galway” together with supporting documentations were circulated to Each Member. Mr. Brian Barrett, Administrative Officer, Community & Enterprise Department opened the presentation on the Local Economic and Community Plan (LECP) – Socio Economic Statement for County Galway and set out its purpose as provided for in the Local Government Reform Act 2014 which is to set out for a 6 year period, the objectives and actions need to promote and support the economic development and the local community development of the relevant local authority area, both by itself directly and in partnership with other economic and community development stakeholders. Mr. Barrett advised that the LECP as a whole (integrated community and economic elements) is to be adopted by the Local Authority by 31<sup>st</sup> December, 2015. Mr. Barrett explained the integrated nature of LECP and set out in detail the steps involved in the process to prepare an LECP which includes (Stages 1 to 5) as follows: Stage 1 – Preparation; Stage 2 – Public Consultation; Stage 3 Develop Objectives and Actions; Stages 4 & 5 – Finalise Plan & Monitoring and Review.

Mr. Barrett advised of the membership structure of the Galway County Council Advisory Steering Group and he summarized the key tasks involved in the preparation and production of the LECP which includes: Establish Advisory Steering Group (ASG); Do Area Profile and Evidence of Needs; Do Mapping of Existing Providers and Delivery Agents; Produce Socio Economic Statement (ASG); Produce High Level Goals (ASG); Send out for Consultations and Comments; Produce Objectives for each High Level Goal and Produce Actions for each Objective.

Mr. Barrett set out in detail the Vision and High Level Goals of County Galway LECP which are as follows: Theme 1 – Employment and Enterprise; Theme 2 – Poverty and Social Inclusion; Theme 3 – Education and Training; Theme 4 – Health and Wellbeing; Theme 5 – Community Safety; Theme 6 – Towns and Villages; Theme 7 – Balanced Sustainable Development; Theme 8 – Natural Environment; Theme 9 – Culture and Language and Theme 10 – Harnessing our Natural Resources.

Mr. Barrett also set out in detail the Work Programme and Timelines for the LECP. Mr. Barrett thanked the members for the opportunity to make his presentation to the Municipal District of Ballinasloe.

Cllr. M. Connolly thanked Mr. Barrett for the presentation and he referred to the loss in industry and jobs in Ballinasloe over the past 10 years. Cllr. M. Connolly stated that Ballinasloe is served by both road and rail networks. Cllr. M. Connolly also stated that there is no concrete evidence coming forward of the possibility of any future investment for Ballinasloe by the IDA and he stated that a higher level of investment is needed in industry and jobs in Ballinasloe.

Cllr. D. Connolly welcomed Cllr. M. Connolly's comments and he stated that he concurred with same. Cllr. D. Connolly referred to the high unemployment levels and the loss of services in the Ballinasloe area over the past number of years and he spoke of the need for investment in the Ballinasloe area. Cllr. D. Connolly referred to the High Level Goal - Theme 7 – Balanced Sustainable Development and stated that development needs to be spread across the County and in particular into the areas which require it the most. Cllr. D. Connolly complemented Mr. Barrett and his Team for the work to date in the preparation of the LECP.

Cllr. Broderick thanked Mr. Barrett for the presentation and stated that the LECP was an aspirational document and questioned the budget/funding for the implementation of the LECP. Cllr. Broderick stated that the Ballinasloe Area and further North of the Ballinasloe area are deprived of tourism initiatives and he stated that this area was overlooked for the Greenway. Cllr. Broderick stated that Failte Ireland withdrew sponsorship for the Ballinasloe Fair which he stated is a big disadvantage. Cllr. Broderick stated that the Municipal District of Ballinasloe should be leading its own overall LECP as he stated that the needs of Ballinasloe are different to those of the other Municipal District Areas.

Cllr. Donohue thanked Mr. Barrett and all his staff for their work involved to date and he also thanked Mr. Barrett for his presentation. Cllr. Donohue referred to the High Level Goal - Theme 6 – Towns and Villages and asked what is the plan in order to achieve this. Cllr. Donohue stated that he concurred with the previous Councillors in their comments made and Cllr. Donohue stated that each Municipal District should have their own LECP.

In response Mr. Barrett stated that it is recognized that there are different needs in the different parts of the County and in this regard he stated that consultation has taken place and will take place further with local groups within the various Municipal Districts. Mr. Barrett stated that the timeframe for adoption of the Plan is year end 2015 and he advised that a draft

of the LECP will be presented to the Municipal Districts in late November timeframe for consideration and adoption in line with the detailed guidelines.

Cllr. Finnerty thanked Mr. Barrett and his Team for their attendance and for all their work to date in preparation of the LECP. Cllr. Finnerty stated that provision of funding will be a key success factor.

**TO RECEIVE AN UPDATE FROM THE HOUSING DEPARTMENT**

MDB14080

Mr. Gavican advised that at present the total housing stock in Galway County Council is 2,300 Units and that there are approximately 3,200 applicants on the housing list plus 800 applicants shared with Galway City Council. Mr. Gavican stated that it was important to note that the 4,000 applicants on the housing lists are not homeless.

Mr. Gavican stated that there are 315 applicants for the Rental Accommodation Scheme & Lease Tenancies. Mr. Gavican stated that the Social Housing Strategy sets out a number of targets including the number of housing units to be delivered under the Capital Construction Programme; Current Expenditure Scheme; RAS and HAP. Mr. Gavican explained that HAP is new to Local Authorities and is a new way of delivering housing.

Mr. Gavican advised that the total current and capital target for Galway County Council is broken down as follows:

- 144 – Capital including: Construction, Acquisition , Voids, Part V
- 310 – Social Housing Current Expenditure Programme
- 80 - RAS in 2015

Mr. Gavican stated that 60 Housing units have been acquired in the County since January 2015. Mr. Gavican stated that the total Housing stock within the MD of Ballinasloe is 457 Units and that there are 340 on the Housing List in this area.

Mr. Gavican stated that one of the Council's priority is to deliver on the Housing Construction Programme and he referred to the Part 8 and Planning processes which must be undertaken as part of this Programme and he stated that it was important not to undermine these processes.

Mr. Gavican stated that the Council is currently in the process of changing its approach with a view to ensuring quicker turnover of voids and he stated that trials are currently undergoing in this area of work. In this regard, Mr. Gavican explained that the Council is undertaking the repair work while families continue to live in the units as opposed to the works being undertaken when the units become vacant. Mr. Gavican stated that the intention is that new families will be able to move in immediately once the unit becomes vacant.



Mr. Gavican stated that there is currently a lot of work being undertaken in the area of Derelicts and Major Refurbishments and referred to the successful CCTV Programme which is in place. Mr. Gavican stated that this type of work supports the Council's Estate Management Policy and he advised that that within the next 6 weeks it is likely that the Government will be making an announcement with regard to Major Refurbishments.

Mr. Gavican advised that the Council recently advertised for properties with a view to Leasing in a Long Term capacity (5 to 10 years in duration) and he stated the only 2 responses were received.

Mr. Gavican also stated that the findings of the Housing Needs Assessment in County Galway demonstrates that there is twice the need for 2 bedroom houses as opposed to 3 and 4 bedroom houses and Mr. Gavican stated that the Census findings concurs with these statistics.

All of the members complemented Mr. Gavican on his presentation and on the work being undertaken in the Housing Department and in particular the work being undertaken with regard to the turnover of properties and voids and the installation of CCTV systems. All of the members acknowledged the limitations on the funding available.

Cllr. Broderick raised a number of matters as follows: the matter of the Council renting properties in housing estates where young families have paid significant monies for their properties and the knock on of same; the difficulties being encountered by families seeking Rent Supplement from DSFA and the issues arising where couples separate/divorce and the subsequent difficulties being encountered with the Banks with regard to joint title deeds etc.

Cllr. D. Connolly concurred with Cllr. Broderick's comments and stated that other issues which need to be urgently addressed include lack of housing stock in some areas within the County; issues of vacant houses; issues with regard to construction of houses and Part 8 and Planning. Cllr. M. Connolly referred to the complexity of the Housing in general and referred to issues being encountered by purchasers engaging in bidding processes with Auctioneering Firms and the chronic shortage of houses for renting purposes.

Cllr. Donohue concurred with the earlier comments of the previous Councillors and referred to the huge housing problem in the Municipal District of Ballinasloe. Cllr. Donohue stated that it made good sense to focus on refurbishments as a means to addressing the housing issues.

Cllr. Finnerty concurred with the earlier comments of the previous Councillors and he thanked Mr. Gavican for his detailed presentation. Cllr. Finnerty welcomed the fact that the advertisement for Long Term Renting was being run again with a view to acquiring further long term leasing properties.

**MUNICIPAL DISTRICT OF BALLINASLOE DIRECTOR'S BUSINESS**

**MDB14081**

No business arising

**MUNICIPAL DISTRICT OF BALLINASLOE CATHAOIRLEACH'S BUSINESS**

MDB14082

Cllr. Finnerty advised the members of the upcoming retirement of Mr. Evan Molloy, Senior Engineer after 28 years service. All of the members joined in congratulating Mr. Molloy on his upcoming retirement and thanked him for his courtesy, advice, professionalism, dedication to his job and expertise which he displayed to everyone during his tenure. All of the members joined in wishing Mr. Molloy good health and happiness to both himself and his family in his retirement.

Ms. McConnell on behalf of all of the Planning Department and the Management of the Municipal District of Ballinasloe thanked Mr. Molloy for all his advice, valuable work and courtesy shown to everyone throughout his career and she wished him the well in his retirement.

Mr. Declan Tierney on behalf of all of the media stated that he wanted to wish Mr. Molloy the best of luck in his retirement.

Cllr. Finnerty stated that he wanted to thank the Engineering staff for all the work done on the speed ramps at Shannonbridge.


**ANY OTHER BUSINESS**

MDB14083

Discussion took place with regard to the issue of illegal dumping on the M6 Motorway and in particular the visibility of the illegally dumped rubbish as a result of grass cutting recently undertaken on the M6 roadside verges.

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted, Approved and Signed

  
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(Cathaoirleach to sign here)

9/9/15.  
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(Date)