

"There is no road flooding at the above location. Flooding on private property is a matter for the land owner involved.

Councillor McHugh asked that this be reconsidered.

N.O.M. NO. 46: SHANNON AIRPORT - CLR. M. MULLINS: 1066

On the proposition of Councillor Michael Mullins, seconded by Councillor McHugh, it was resolved:

"That Galway County Council calls on the Government to re-affirm the status of Shannon Airport without further delay in order to alleviate fears in business and tourism interests in County Galway."

THE MEETING THEN ENDED

SUBMITTED, APPROVED & CONFIRMED:

Michael Mullins  
CHAIRMAN

23/11/1992

DATE

PRESENT: COISTE GAEILGE Peadar Mac Fhlannchadha  
Brendan O Tuairisg  
Seosamh O Cuaig  
Padraig O Cosgordha

COMAIRLEOIRE

Sean O Neachtain  
Jarlath Mac Donnchadha  
Seamus O Gabhain  
Peadar O Tuathail  
Eamon O Cuiv  
Connie Ni Fhatharta  
Tomas O Beirne  
Seanadoir Eamon O'Cuiv

OIFIGI

T. O Caomhanaigh, Runai  
M. Nolan, Oifigeach Foirne  
C. De Bhaillis, Oifigeach  
Foirne Sinnsear

Chuir an Cathaoirleach faillte roimh oifigi o "Gaillimh le Gaeilge" agus thug se cuireadh do Maire Mhic Uidhir labhairt leis an gcrunniu.

Ghabh Maire Mhic Uidhir buiochas leis an gCathaoirleach agus thug si cur sios ar imeachtaí an grupa go dtí seo, agus freisin na h-aidhmeanna ata acu. Dúirt si go raibh tuarascáil le h-eagrú acu cun cuir faoi bhráid an Coiste Gaeilge Gaeltachta, amach anseo.

Comharthai Gaeilge in Oispideil na h-ollscoile, agus Pairc Meirlinne

Chuir na baill a díoma, in iúl de bhri nach raibh comharthai dha theangach ag na h-ionadaí thuas luaite. Díarr siad go bpleafar an tábhar seo le udarais na h-oispideil comh maith leis an gá ata ann, eolas oibrithe a bheith ag foireann leighis agus rl, na h-oispideil.

Comharthai obair bhóthair Sealadach

Chuir na baill in iúl go raibh áthas ortha as ucht na Comharthai obair bhóthair sealadach a bhí curtha ar fáil as gaeilge ag an gComhairle Chondae: Díarr an Seandoir O Cuiv, cen fáth nach raibh na comharthai dha theangach ar fáil ar fud an Chontae, mar cheap se go raibh se sin socraithe cheana féin ag an gcoiste. Dúirt an Runai Chondae gurb e curam an coiste ná iad siúd a cur ar fáil 'sna ceanntair Gaeltachta. Mar sin féin dúirt se go scrudódh se an cás aris.

Córas Aistriúchan

Rinne Muriel Nolan cur sios ar costais seirbhis mar seo a cur ar fáil. Díarr na baill tuile eolas a fháil i dtaobh costais cothú agus freisin tuile eolas a fháil o gníomhaireachtaí eile mar comhairle na n-oileain, a bhfuil seirbhis mar seo ag obair acu cheana fein. Daontaigh na baill go gcuirfear iarratas airgid chuig an roinn comhshaoil, agus cóip den iarratas do Roinn na Gaeltachta.

Coiste-Gaeilge - 16/9/92

Oireachtas 1993

D'aontaigh na baill go mba ceart go mbéadh Oireachtas 1993 i nGaillimh, agus go n-farrfadh an Comhairle Chontae ar an Roinn Comhshaoil é seo a cur in eagar. Bhí loistin ar fáil in Ostan an Cheathrú Rua nó ostan Chosta Chonamara. Diarr Peadar mac Fhlannacha go gcuirfeadh an Comhairle Chontae cunamh airgid ar fáil.

Láithreacht Roinn na Gaeltachta ag cruinnithe an Chomhairle Chontae

Dúirt an Runai, nach mbéadh aon cur i gcoinne, Radio na Gaeltachta i bheith i láthair ag cruinniu iomlán an chomhairle chontae ach go mbeadh ortha cead a fháil roimh ré ón gComhairle.

Deontaisí Bhóthair ó roinn na Gaeltachta

Diarr an t-seanadóir o Cuiv go n-farrfar ar Roinn na Gaeltachta na deontaisí Gaeltachta a dháiliu chómh luath agus is feidir.

Diarr na baill go rachfar i gComhairle leis an gCoiste, nas seo amach sul a gcuirfeadh suas na logainmneacha gaelach gun go mbéifear cinnte go mbainfeadh úsáid as an gnáth aistriúcháin. D'aontaigh an runai leis an moladh. Dúirt na baill comh maith gurb íad seo na logainmneacha cearta do na h-áiteanna seo leanas.

An Tra Mhoir  
An Tra Bhain

Diarr an Chomhairleoir S. O Neachtain go gcuirfeadh comhartha dhá théangach, ag cur cosc ar dhumpáil ag ce an Spideal.

SUBMITTED APPROVED + CONFIRMED

*Michael Nollan*  
CHAIRMAN

23/11/92

DATE

COISTE GAELIGE CRINNIU 16/9/1992

PRESENT: COISTE GAELIGE Peadar Mac Fhlanncadha  
Brendan O Tuairisg  
Seosamh O Cuaig  
Padraig O Cosgordha

COMHAIRLEOIR Sean O Neachtain  
Jarlath Mac Donnchada  
Seamus O Gabhain  
Peadar O Tuathail  
Eamon O Cuiv  
Connie Ni Fhatharta  
Tomas O Beirne  
Senator Eamon O'Cuiv

OIFIGI T. O Caomhanaigh, Runai  
M. Nolan, Oifigeach Foirne  
C. De Bhailis, Oifigeach Foirne Sinnsear

The Chairman welcomed officials from Gaillimh le Gaeilge and invited Maire Mhic Uidhir to address the meeting.

Maire Mhic Uidhir thanked the Chairman and outlined the activities of the group to date and also their aspirations for the future. She also stated that a report would be prepared and submitted to An Coiste Gaeilge Gaeltachta in due course.

Irish Signs in the Regional and Merlin Park Hospitals

Members expressed their disappointment at the lack of bilingual signs at the above locations and requested that the matter be taken up with the hospital authorities together with the need for a working knowledge of Irish by medical and other staff.

Temporary Road Work Signs

Members welcomed the provision of temporary Road Work Signs in Irish by the County Council. Senator o Cuiv wanted to know why bilingual signs are not available in the whole county, as it was his opinion that this was already agreed to by an Coiste. The County Secretary stated an Coiste's concern was that such would be erected in Gaeltacht areas, however, he agreed to have the matter examined.

Coras Aistriuchan

Muriel Nolan outlined the costings of providing such a service. Members requested that further information be obtained regarding maintenance costs and also that information be obtained from other agencies such as Comhairle na nOilean who have such a service already in operation. Members agreed that an application for funding be submitted to the Department of the Environment and a copy to Roinn na Gaeltachta.

**Oireachtas 1993**

Members agreed that Oireachtas 1993 should be held in Galway, and that the Council should approach the Department of the Environment to arrange same. Accommodation would be available at either Carraroe Hotel or the Connemara Coast Hotel. Peadar Mac Flannacha requested that the Council provide financial assistance.

**Presence of Radio na Gaeltachta at Council Meetings**

The County Secretary informed that there would be no objection to Radio na Gaeltachta being present at a full Council meeting, but that the permission of the Council would first have to be obtained.

**Road grants from Roinn na Gaeltachta**

Senator O Cuiv asked that Roinn na Gaeltachta be requested to allocate gaeltacht grants at the earliest possible date.

Members asked that An Coiste be consulted in future prior to Irish place names being erected in order to ensure that the current translation is used. The County Secretary agreed with this proposal. Members also stated that the following place signs should read as follows:

1. An Tra Mhoir
2. An Tra Bhain

Councillor S. O Neachtan requested that bilingual no dumping sign be provided at Spiddal Pier.

**COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)**

Oifig an Runai,  
Arus an Chontae,  
**GAILLIMH.**

2u la Deire Fomhair, 1992.

**CHUIG GACH BALL DE 'N CHOMHAIRLE/**

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a thionolfar ins na Foirgnithe Chontae, Gaillimh, ar De h-Aoine, an 9u la Deire Fomhair, 1992, ag tosnu ar a 3.00 a chlog sa trathnóna.

Mise, le meas

**T. O'CAOMHANAIGH,**  
RUNAI.

**A G E N D A**

1. Planning applications - Advance Notice to be given to County Secretary.
2. Local Government (Planning and Development) Act, 1992. Local Government (Planning and Development) (No. 2) Regulations, 1992. (Already circulated).
3. Fix date for Estimates Meeting.
4. Sale of Plot of land at Coscorrig, Loughrea - Section 83 Notice of 21st September, 1992 already circulated).
5. Adoption of Water Quality Management Plan for the Lower Shannon Catchment Area.
6. Employment Creation.
7. Ballygar Dump.
8. Coat of Arms.

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MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL  
HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 9TH  
OCTOBER, 1992.

IN THE CHAIR: Councillor M. Mullins.

ALSO PRESENT:

Members:

As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, Deputy P. Connaughton, Senator E. O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, Senator T. Hussey, Councillors M. Loughnane, J. Mannion, J. McClearn, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley and T. Walsh.

Officials:

Messrs. S. Keating, County Manager; P. Flood, County Engineer; P.J. Gavin, Assistant County Manager; R. Killeen, L. Kavanagh, Senior Executive Engineers; E. Lusby, Finance Officer; T. Coughlan, Administrative Officer; C. Wallace, Senior Staff Officer; P. Carroll, Acting Senior Staff Officer; and T. Kavanagh, County Secretary.

The Opening Prayer was recited.

CONGRATULATIONS:

The Chairman proposed a vote of congratulations to President Mary Robinson on the outstanding work she is doing on behalf of Ireland for Somalia. He said that the nation was proud of her and proposed that the Council write expressing our appreciation and wishing her continued success. He also congratulated Galway Bay Radio and other radio stations for their efforts. Deputy McCormack seconded the proposal and paid tribute to the efforts of everybody involved.

Councillor Finnerty congratulated Mr. Donal O'Donoghue on his pending appointment as County Manager, Meath County Council. The Chairman also congratulated Mr. O'Donoghue whom he said would be in attendance at a Council Meeting before his departure.

1006

SPECIAL COUNCIL MEETING 9/10/1992.

PAGE 2

SYMPATHY:

1007

Councillor Mannion proposed a vote of sympathy to the family of the late Martin Moylotte, a Member of Galway County Council from 1950-1955. He proposed that the meeting adjourn for 15 minutes as a mark of respect. This was seconded by Deputy McCormack. The County Manager joined in the expression of sympathy to the Moylotte family.

Resolutions of sympathy were also adopted with the following:

Mrs. Eileen Francis, Spiddal, Co. Galway.  
Mrs. Nonie Higgins, Castlelambert, Athenry.  
Mrs. Dillon, Stoneyisland, Portumna.  
Mr. Michael Meehan, Tycooley, Caltra, Ballinasloe.

The Meeting then adjourned to 3.30 p.m.

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1992:  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) (NO. 2)  
REGULATIONS, 1992:

1008

The Secretary referred to the memorandum dated 4th September, 1992, which had been circulated, outlining details of the new Planning and Development Act, 1992, and Regulations of 1992. He then went through the main provisions of the Act, the main purpose of which is to speed up the Planning Appeal process.

The Members welcomed the new legislation, and the fact that Planning Appeals would be decided more quickly.

DATE FOR ESTIMATES MEETING:

1009

It was decided that the Estimates Meeting would be held on Monday, 16th November at 3.30 p.m.

Senator Hussey asked if a Roads Estimate Programme could be prepared for the Estimates Meeting. The County Engineer said that the Road Grants would not be notified in time for the Estimates Meeting but he could prepare figures based on last year's grants. Senator O'Cuiv said it was necessary for the Members to have consultation in regard to the Roads Programme before the Estimates Meeting and proposed that Area Roads Meetings be held.

The County Manager explained that the Roads Grants were not settled by the Government until Budget time, but said that a tentative Roadworks Scheme could be drafted. Following discussion, it was agreed to have Area Roads Meetings on Monday, 9th November, 1992.

Councillor Ryan proposed that the Minister be asked to make funds available to Galway County Council for the

employment of casual workers on County Roads during 1993. This was seconded by Councillor Mannion and agreed.

DATE FOR OCTOBER MONTHLY MEETING:

1010

The Secretary stated that as the fourth Monday in October fell on a public holiday, it would be necessary to fix an alternative date. It was decided to hold the October Monthly Meeting on Friday, 23rd October, at 3.00 p.m.

SALE OF PLOT OF LAND AT COSCORRIG, LOUGHREA:

1011

It was proposed by Councillor Joe Callanan, seconded by Councillor J. McClearn, and resolved:

"That Galway County Council hereby approve of the sale of a plot of land at Coscorrig, Loughrea, to Mr. Pat Beirne, c/o All-In Property Services, Main Street, Loughrea, in accordance with the terms of notice dated 21st September, 1992, under Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, which had been circulated to each Member of the Council."

ADOPTION OF WATER QUALITY MANAGEMENT PLAN FOR THE LOWER SHANNON CATCHMENT AREA:

1012

The Secretary referred to memorandum dated 23rd September, 1992, circulated to each Member. He explained that the Council had previously adopted a Water Quality Management Plan for the Upper Shannon Catchment at its Meeting on the 24th February, 1992. He said it was now in order for the Council to adopt the Plan for Lower Shannon Catchment as the submissions received by other local authorities had been dealt with and no amendment was required to the Draft Plan.

On the proposition of Councillor McClearn, seconded by Councillor W. Burke, it was resolved:

"That Galway County Council in accordance with Section 15 of the Local Government (Water Pollution) Act, 1977, as amended by Section 11 of the Local Government (Water Pollution) (Amendment) Act, 1990, adopt and make the Water Quality Management Plan for the Lower Shannon Catchment jointly with the County Councils of Clare, Tipperary (N.R.), Limerick and Limerick Corporation."

CONFERENCES:

1013

On the proposition of Councillor Ryan, seconded by Councillor Mannion, it was agreed to nominate Councillor Walsh and Councillor McDonagh to attend a Water Quality Conference - Water: Supply and Quality

on 5th and 6th November, 1992, in Cork.

On the proposition of Senator Hussey, seconded by Councillor Callanan, it was also agreed to nominate Councillor O'Neachtain for attendance at this Conference.

On the proposition of Councillor Ryan, seconded by Councillor McDonagh, it was agreed to nominate Councillor Mannion and Councillor McClearn to attend a Conference on Dargin's Legacy in Bray, on the 6th to 8th November, 1992.

On the proposition of Senator Hussey, seconded by Councillor Callanan, it was also agreed to nominate Councillor Regan to attend this Conference.

It was agreed that the attendance of Councillor M. O'Neill be approved to attend Seminar - "Let Tourism Work for You" in the West County Hotel, Ennis, Co. Clare, on November 20th and 21st, 1992, instead of Councillor Ryan.

EMPLOYMENT CREATION:

1014

The Press Statement of the Minister of State at the Department of Finance and Taoiseach, Mr. Noel Treacy, T.D., together with Appendix setting out details of the new County Enterprise Partnership Boards was circulated to each Member.

The County Manager said that the Government had made a decision to set up County Enterprise Partnership Boards in each County. In the formation of the Boards, it had been decided to amalgamate the County Development Teams and Regional Tourism Organisations. He said that the membership of the Galway County and City Enterprise Partnership Board would consist of 18 people as set out on page 8 of the Appendix. The Partnership Boards would have three key objectives -

- (a) Development of small and start-up Enterprises employing up to 12 people.
- (b) Training and education.
- (c) Local community development.

He said that a number of questions had to be answered yet in regard to staffing, etc.

While the Chairman and Members welcomed the setting up of the Boards, some concern was expressed at the small local authority representation. Councillor Walsh said that emphasis would need to be placed on the maintenance of jobs as distinct from the creation of jobs, and he mentioned increases in rateable valuation of small commercial properties as unhelpful.

Councillor Loughnane asked if the staff in the County Development Office would continue to deal with the Council's amenity grant applications and he was advised that this would be considered.

Councillor Callanan proposed that the Council establish an Employment Committee. This was seconded by Councillor McHugh. Following discussion, it was agreed to put this item on the next Agenda.

BALLYGAR DUMP:

1015

Report of Mr. P.J. Gavin, Assistant County Manager, dated 1st September, 1992, was submitted. Councillor Quinn said that she was disappointed that there was no proposal to re-open Ballygar Dump and said that alot of indiscriminate dumping was taking place. She said the private refuse service did not operate outside of Ballygar Town and she asked that the Dump be left open for two days per week.

Mr. Gavin said that there was a good weekly refuse collection in Ballygar, and if all the people accepted the service, and used it, it could even be improved. He said he would be agreeable to talk to the Collector and the local people about improving the service. He said that many other areas throughout the County were operating satisfactorily with the weekly service. In regard to indiscriminate dumping, Mr. Gavin explained how the Council would co-operate with regard to clean-up operations.

COAT OF ARMS:

1016

The Secretary stated that this matter had been discussed by the Council at previous meetings, and the only thing which had to be finalised was the motto or slogan at the bottom of the Crest, and he circulated some further examples.

On the proposition of Councillor Gavin, seconded by Councillor Finnegan, it was agreed to use the phrase "Ceart agus Cóir" as the motto.

POTHoles:

1017

Senator O'Cuiv said that there was a serious situation in Connemara in regard to potholes and he asked that the matter be put on the next Agenda. The Chairman decided that the Department of the Environment be asked to make immediate funds available for this work.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED, & CONFIRMED:

*Michael Mull* CHAIRMAN  
23/10/1992 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

22u la Mean Fomhair, 1992

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe, a thionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain, an 28u la Mean Fomhair, 1992, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,  
RUNAI.

A G E N D A

- 1. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:

"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant full Planning Permission for a new dwellinghouse and septic tank at Bealnalappa, Oughterard, Co. Galway. - Mr. Liam Creaven c/o Conor Hayes."

John M. Mannion. Eamon O'Cuiv. Connie Ni Fhatharta.

OTHER BUSINESS:

- 2. Consideration of the Minutes of the following Meetings:
  - (a) Minutes of Special Meeting held on 14th August, 1992.
  - (b) Minutes of Monthly Meeting held on 24th August, 1992.
- 3. Sale of house to Gerard & Teresa O'Loughlin, Pollroebuck, Loughrea. - Section 83 notice dated 1st September, 1992, already circulated.
- 4. Sale of house to Mrs. Delia Curran, Lisdonagh, Headford. - Section 83 notice dated 16th September, 1992, already circulated.

5. Western Approach Road. REPORT
6. Raising of loan for Council Offices. - Report attached.
7. Higher Education Grants Scheme, 1992. - Amendment to Scheme.
8. Audit of Accounts of County Galway V.E.C. for 2 years ended 31st December, 1991.
9. Audit of Accounts of Lough Corrib Navigation Trustees for year ended 31st December, 1991.
10. Audit of Accounts for River Suck Joint Drainage Committee for year ended 31st December, 1991.
11. Adoption of Water Quality Management Plan for the Lower Shannon Catchment.
12. Town Twinning - Clifden and Sarzeau.
13. Coat of Arms.
14. Ballygar Dump.
15. Conference "Let Tourism work for you" at West County Hotel, Ennis, 20th/21st November, 1992.
16. Business submitted by the Chairman.
17. Business submitted by the County Manager.

COUNCILLORS NOTICES OF MOTION:

(A) Adjourned from previous Meeting:

COUNCILLOR P. McHUGH - I will propose:

18. That Galway County Council make the laneway from the New Estate, Headford to the Main Street pedestrian only, in order to ensure the safety of people using the laneway.

(B) Other Motions received.

COUNCILLOR JARLATH McDONAGH - I will propose:

19. That the County Council carry out survey with a view to carrying out improvement works on road - (details supplied).
20. That Galway County Council inform me of the current situation re FAS Scheme and may I also propose that County Council implement this scheme immediately (details supplied).
21. That Galway County Council immediately implement safety proposals at school before a serious accident occurs (details supplied).

COUNCILLOR MICHAEL CUNNINGHAM - I will propose.

22. The Cartron to Cregg Link Road and the Ballynamana to Monksfield Road to be resurfaced, the condition of these roads is very bad with large Pothles.
23. That Gort Water Scheme and the Tubber Water Scheme be linked together and have one source of supply which will get over the difficulty of the Polluted Source at Tubber Water Scheme.

COUNCILLOR MICHAEL FAHY - I will propose.

24. That Galway County Council put new signs, and put writing on roads to "Go Slow" and "Stop" at Caseys Fourcrossroads, Moyveela, Oranmore.
25. That Galway County Council erect signs at dangerous bends, and also remove claybanks to improve safety from around dangerous bends from Kelly's Crossroads to Maree Crossroads, Oranmore (Special improvements to be carried out near Hanniffeys house).

COUNCILLOR MATT LOUGHNANE - I will propose.

26. That Galway County Council take responsibility for maintenance of roads and parkland at Pinewood Crescent, Loughrea.

COUNCILLORS T. BYRNE, J. McCLEARN, W. BURKE, M. CUNNINGHAM AND M. FAHY - We will propose:

- 27. That in the event of money being available provision be made in the forthcoming estimates for the building of a promenade at Kinvara or as a first stage, the building of a retaining wall (100 yards long approx) which could be later completed. A recently formed local tourism development association will be anxious to discuss the project with the County Council at a later date.

COUNCILLOR C. Ni FHATHARTA - I will propose.

- 28. That Comhairle Chontae na Gaillimhe rebuild the wall beside the road into Ross Island, An Cheathru Rua. The road is situated beside the seashore, it is extremely dangerous for people travelling on it without the protection of a wall.
- 29. That Comhairle Chontae na Gaillimhe examine the regional road at Na Doireadh, Baile na hAbhann with a view to provide a speed limit there. There have been a number of accidents in this area and local people are worried about the speed cars travel at on the road.
- 30. That Comhairle Chontae na Gaillimhe repair the county road in Trabane Village. Urgent repairs are needed as the road is in a terrible condition.

COUNCILLOR SEAMUS GAVIN - I will propose.

- 31. That hedge-trimming be carried out on the Truskey West Road in Barna, from the Moycullen Road towards the home of Mr. Billy Conneely also at Portacarron, Oughterard.
- 32. That Galway County Council repair the pot-holes on the Knock Road, Moycullen (details supplied), also on the Fahy Road towards Mr. Gabriel Ryans house in Rosscahill and on Clydagh-Tooreeney Road in Moycullen.
- 33. That the County Council position delineators along the Corcullen-Woodstock stretch of the N.59 road as soon as possible before the winter.

COUNCILLOR S. O'NEACHTAIN - I will propose.

- 34. That Galway County Council would take immediate steps to rectify the drastic flooding problem at this graveyard (details supplied).
- 35. That Galway County Council would erect adequate signs in the vicinity of St. Annins School, Rosscahill to warn drivers to the danger of school children on the road.
- 36. That Galway County Council would take steps to ensure that the road surface of the Galway Spiddal road does not deteriorate further.

COUNCILLOR EVELYN VARLEY - I will propose.

- 37. That Galway County Council produce the plan for works to be carried out in the Square, Headford.
- 38. That the dangerous bend known as "The Alley" at Cloughanover be made safe (details enclosed).
- 39. That a "Yield" sign be placed at Mountross/Ballyhale, as it is extremely dangerous.

COUNCILLOR PADDY MCHUGH - I will propose.

- 40. That Galway County Council carry out an examination of the roads (details enclosed) with a view to making the roads safer for use by pedestrian and vehicular traffic.
- 41. That Galway County Council carry out road works to prevent the re-occurrence of flooding at Johnstown, Belclare near John Cunninghams house. This flooding causes the road to become impassable causing great inconvenience to the public.
- 42. That Galway County Council erect direction signposting for Caherlistrane to enable people travelling from Galway to find the place.

SENATOR EAMON O'CUIV - I will propose.

- 43. Le fiarai go gcuirfear caoi laithreach ar an mbothar chomh fada le tigh Aine Seoighe, i Seanafarachain, Fionnaithe a bhfuil an drock chaoi air tar eis na tuillte a bhi ann le gairid.
- 44. To ask Galway County Council to carry out immediate repairs to the Cannower road in Cashel which is in need of urgent repairs.
- 45. To ask Galway County Council to urgently repair the road into the village of Athry as far as the house of Peadar Lee which is in urgent need of repair.

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MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 28TH  
SEPTEMBER, 1992.

IN THE CHAIR: Councillor Michael Mullins.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke,  
W. Burke, T. Byrne, J. Callanan,  
Deputy P. Connaughton, Senator E.  
O'Cuiv, Councillors M. Cunningham,  
M. Fahy, P. Finnegan, M. Finnerty,  
Seamus Gavin, Senator T. Hussey,  
Councillors M. Loughnane, J.  
Mannion, Councillors J. McClearn,  
Deputy P. McCormack, Councillors J.  
McDonagh, P. McHugh, C. Ni  
Fhatharta, S. O'Neachtain, M.  
O'Neill, P. O'Sullivan, P.  
O'Tuathail, K. Quinn, M. Regan, M.  
Ryan, E. Varley, and T. Walsh.

Officials: Messrs. S. Keating, County Manager;  
P. Flood, County Engineer; R.  
Killeen, Senior Executive Engineer;  
E. Lusby, Finance Officer; T.  
Coughlan, Administrative Officer;  
C. Wallace, Senior Staff Officer;  
and T. Kavanagh, County Secretary.

The Opening Prayer was recited.

SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mrs. Madge Forde & Family, Corrandulla, in respect of her daughter, Annette.  
Mr. Jimmy Glynn, Tavanagh, Cumber, Tuam, on the death of his wife, Pauline.  
Mrs. Lydon, Moycullen, on the death of Jimmy Lydon.  
Mr. & Mrs. Gerry Colleran, Moylough, Ballinasloe.  
The Hehir Family, Blackwater, Gort.  
Mrs. Nancy O'Malley, Main Street, Loughrea.  
Mrs. V. Furey, Clontuskert, Ballinasloe.  
Mr. Gabriel Joyce, Shanakeela, Recess.  
Mr. Sean Comer, Stonepark, Cloonminda, Williamstown.

CONGRATULATIONS:

On the proposition of Councillor Ryan, a vote of congratulations was passed to the Abbeyknockmoy /Monivea Senior Football Team on winning the County Title.

On the proposition of Councillor McHugh, a vote of congratulations was passed to the Corofin Minor Football Team on winning the County Final.

On the proposition of Councillor Cunningham, a vote of congratulations was passed to the Donegal Senior Football Team on winning the All-Ireland Football Final.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY  
MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING  
APPLICATION NUMBER 66737 - APPLICANT: LIAM CREAVEN.

964

Senator O'Cuiv proposed the resolution set out on the Agenda. He said that the planning history of the site was relevant and referred to the fact that in 1981, Outline Permission was granted on the site, and this was followed subsequently by an Approval to Mr. Creaven. He said the applicant bought the site on the basis that Planning Permission existed with no Enurement Clause. The Permission had run out and the applicant had now re-applied. Senator O'Cuiv said it was fair to say that a house, irrespective of who owns it is equally dangerous and it was hard to go back on a previous decision granting Permission. He said he was proposing the resolution on the basis of consistency. The resolution was seconded by An Comhairleoir Ni Fhatharta.

The County Engineer read the following report which had been circulated to each Member prior to the Meeting:

"LOCATION:

The site is located on the N.59 route (Galway-Oughterard-Clifden), approximately 2 miles south of Oughterard.

PLANNING HISTORY:

Ref. No. 28305 - Outline Permission for a house refused on this site in September, 1978. Applicant: Mary Walsh.

Ref. No. 30878 - Outline Permission refused as per 28305 - May 1979.

Ref. No. 35506 - Outline Permission granted for a house based on essential housing need claim in March 1981 - applicant: Mary Walsh, daughter of land owner.

Ref. No. 41288 - Approval granted to Liam Creaven in respect of Ref. No. 35506.

PLANNING CONSIDERATIONS

The site is located on the N59 route where the maximum speed limit applies and where it is the policy of the Planning Authority to restrict development in the interests of traffic safety. This section of the route is unrealigned and narrow with no verges or hard shoulders, and with a very substandard sight distance available from the access way it proposes to share with an adjacent house.

The original Outline Permission was granted to a member of the Walsh family who are owners of the land holding. The site would then seem to have been sold to Mr. Creaven. Since the proposal does not involve the essential housing need of a farmholder's family, it does not qualify for inclusion in the category of development which is permissible along this National Route. The policy of restricting accesses on National Routes has been incorporated in all of the County Development Plans for more than 20 years in view of the established relationship between accident occurrences and the number of uncontrolled access points.

RECOMMENDATION:

Refusal is recommended as follows:

1. The proposed development would contribute to a serious traffic hazard as the site is located adjacent to an unrealigned section of restricted national secondary route which is heavily trafficked and at a point where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the said route.
2. The proposed development would contravene the County Development Plan, Chapter 8, Table 8B which limits housing development along this road to the substantiated essential housing needs of local farmholders and their families. No such need exists in this case and the proposal, if permitted, would be contrary to the proper planning and development of the area."

The County Engineer said that at the present time, the A.A.D.T. was 2,848 vehicles with 9% heavy goods vehicles. He recommended that Permission be refused. Responding to questions as to why Mr. Creaven was granted Approval previously, the County Engineer said that Approval was granted due to the fact that an Outline Permission existed on the site. This Permission had now expired.

Councillor McHugh said that the applicant bought the site in good faith with no conditions attached to the Permission, and therefore, Permission should be granted. Senator O'Cuiv said that when Mr. Creaven bought the site, it had Outline Permission with no conditions about second family dwelling. He had let the Permission run out and he now wants to go back to the previous position. Senator O'Cuiv said he could not understand how the location was unsafe now and said there were good planning reasons for granting Permission. A vote taken for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillors T. Byrne, J. Callanan, Deputy P. Connaughton, Senator E. O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, Senator T. Hussey, Councillors M. Loughnane, J. Mannion, J. McClearn, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, M. Mullins, C. Ni. Phatharta, S. O'Neachtain, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, and T. Walsh.

(26)

AGAINST: Councillors J. Brennan, J. Burke, W. Burke, and E. Varley.

(4)

The Chairman declared the resolution carried.

MINUTES:

On the proposition of Councillor Ryan, seconded by Councillor Callanan, the Minutes of Special Meeting of the Council held on the 14th August, 1992, were approved and signed by the Chairman.

On the proposition of Councillor McDonagh, seconded by Councillor Finnegan, the Minutes of Monthly Meeting of the Council held on 24th August, 1992, were approved and signed by the Chairman.

Deputy Connaughton asked if any reply had been received from the Western Health Board in relation to Minute No. 909. The Chairman read letter dated 21st September, from the Chief Executive Officer of the Western Health Board, stating that it would be inappropriate for Health Board Staff to attend the Meetings in question. Dissatisfaction was expressed with this reply and the Secretary was asked to clarify with the Health Board that the Council's request referred to one Council meeting.

Councillor Callanan referred to Minute No. 916 regarding road improvements at Kilrickle, and asked if rumble strips would be provided. The County Engineer gave details of the work being carried out and said that a proposal for rumble strips had been sent to the Department of the Environment, and the matter would be considered when the present work is completed.

Councillor O'Neachtain referred to Minute No. 908 in relation to the proposed north/south strategic road. He said that his only objection was that the proposal would not bring extra road grants to the rest of the County and could even result in less grants. Senator O'Cuiv and Councillor McClearn expressed similar views.

Councillor McHugh referred to Minute No. 922 relating to the Regional Sports Centre and said he did not remember the item being discussed at the meeting. He said he objected to such proposals unless full information was supplied to Members. The County Manager confirmed that the matter was discussed at the Meeting and gave details of the project. Councillor McHugh asked that the matter be put on the Agenda for the next Meeting, and this was agreed.

SALE OF HOUSE TO GERARD AND TERESA O'LOUGHLIN,  
POLLROEBUCK, LOUGHREA:

966

On the proposition of Councillor Loughnane, seconded by Councillor Ryan, it was resolved:

"That Galway County Council hereby approve of the sale of a house to Gerard and Teresa O'Loughlin, Pollroebuck, Loughrea, in accordance with the terms of notice dated 1st September, 1992, under Section 83 of the Local Government Act, 1946, and Section 90 of the Housing Act, 1966, as amended, by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, which had been circulated to each Member of the Council."

SALE OF HOUSE TO MRS. DELIA CURRAN, LISDONAGH, HEADFORD:

967

On the proposition of Councillor McHugh, seconded by Deputy McCormack, it was resolved:

"That Galway County Council hereby approve of the sale of a house to Mrs. Delia Curran, Lisdonagh, Headford, in accordance with the terms of notice dated 16th September, 1992, under Section 83 of the Local Government Act, 1946, and Section 90 of the Housing Act, 1966, as amended by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, which had been circulated to each Member of the Council."

WESTERN APPROACH ROAD:

968

The County Engineer referred to the Regional Route R.336 which runs from Galway westwards to serve Barna-Spiddal-Costelloe etc. He says that this route carries extensive tourist traffic as well as local and commercial traffic. It has extensive frontage development and has a high accident pattern. He said that having examined the situation thoroughly, he had come to the conclusion that a completely new road was the only solution to the increasing problems on this particular route.

The County Engineer then explained, with the use of a map, the line of a new route which could be achieved. He said that the new route would be partly in the City area and would connect with the Ragoon road which would have to be widened to make the proposal feasible. The proposed route would run westwards as Stage 1 from the City to join the existing R.336 near Coismeigmore, Furbo. He said that it could be extended westwards in further stages as required to ultimately by-pass Spiddal and as far westwards as necessary. He said that the land was at present undeveloped along the proposed route of Stage 1, and therefore, it would be necessary to keep this corridor free from development to allow the road to be constructed. The length of Stage 1, including the Ragoon Road, would be 9.5 kilometres, and the estimated cost £9M. The County Engineer explained that the proposed new route could be incorporated into the present City road network via the Ragoon Road, but could ultimately be linked into a future outer ring road for the City. The County Engineer recommended that adoption of the proposed new road as shown on the Plan.

Councillor O'Neachtain said that while he welcomed the proposal, it would not solve the immediate traffic problems on the road into the City from Barna and Spiddal. He said he would also like to see the further extension of the road beyond Coismeigmore included on the map. Deputy McCormack also welcomed the proposal but said he doubted if funding would be made available as it was not a national route. Senator O'Cuiv agreed that there was a need for the proposed new road, and said that the first phase should be included in the next phase of Structural Funds. He said that he would like to get a commitment from the Department of the Environment that the road would have National Route status.

On the proposition of Deputy McCormack, seconded by An Comhairleoir O'Neachtain, the Council approved of the proposed route for a new Western Approach Road from the City boundary to Coismeigmore, Furbo, as explained on map by County Engineer.

RAISING OF LOAN OF £2.25M FOR COUNCIL OFFICES AT CLUAIN MUIRE:

969

Minute of Meeting of Cluain Mhuire Committee held on 31st August, 1992, together with County Manager's report dated 16th September, 1992, had been circulated to each Member with the Agenda.

Councillor Callanan proposed that a vote be taken on the raising of the loan. This was seconded by Councillor W. Burke. The Chairman said that he proposed to allow time for the Members to discuss the matter.

Councillor Walsh said that he wished to recollect the events that took place in relation to Cluain Mhuire. He gave details of the visits to Cluain Mhuire by the Members and the dates on which the Council approved the purchase. He said he understood that the Staff Union had many meetings with management setting out their requirements for Cluain Mhuire and subsequently, opposition developed to moving there. He said that after the Local Elections, there was a change of heart by some Members who had approved of the purchase originally. It seemed to be accepted that if Cluain Mhuire was put back on the market, there could be a loss of £500,000, and he said the Members could not justify this loss to the people of the County.

Deputy Connaughton said that if Cluain Mhuire had to be re-sold, there could be perceived loss of between, £500,000 and £800,000 and he wanted to be assured that he would not be liable for surcharge. He asked who would make up the loss as the people of the County could not be asked to do so. Councillor J. Burke said that he had made a mistake in supporting the purchase of Cluain Mhuire. He said Cluain Mhuire would be inconvenient to the public for doing business, and he saw no difficulty in disposing of it. He proposed that the County Buildings be developed, and that Cluain Mhuire be sold.

Deputy McCormack referred to the possible loss in the event of the re-sale of Cluain Mhuire as set out in page 3 of the report. He considered the £400,000 loss to be a conservative figure. He said the Council decided that the purchase was good value at the time and he appealed to Members to make a positive decision. He questioned the high purchase costs and Architect's fees. Councillor Varley said she was influenced by the needs of the public. The County Buildings site was a good one and could accommodate a large carpark, and people could not afford the additional journeys that would be required to Cluain Mhuire. Councillor McClearn said that if the Council did not go ahead with Cluain Mhuire, it could end up leasing a premises while the County Buildings was being reconstructed and extended. Councillor Brennan

said that he was a Member of the Council when it decided to purchase Cluain Mhuire. However, there was no alternative at that time as the yard at the County Buildings was used as a machinery yard, but was now vacated. He said that Cluain Mhuire was not a modern building and would need a lot of refurbishment works which could cost in excess of the estimated costs. He said that the minimum cost of purchasing and refurbishing Cluain Mhuire would be £4M, and the majority of staff were opposed to the move. Councillor O'Neill said that he would have difficulty in supporting such large expenditure on offices when there are no funds for roads, public lighting, etc.

Councillor Byrne said that many of the comments being made at the meeting would have been relevant before the purchase was made. He said the Council was now at a situation where it was facing a loss of up to £3/4M if it did not go ahead with Cluain Mhuire. He said if the Members were concerned about the financial position of the Council, there was no option but to go ahead with Cluain Mhuire. He said he had not met any member of the public objecting to Cluain Mhuire. Councillor Callanan said that Cluain Mhuire was a good building and was bought in good faith, but was not suitable for conversion to offices. He said the County Buildings site was a good one and the Council should hold on to it. He said there was very little difference in cost in developing either property, but in the case of the County Buildings, at least half of the buildings would be new. Councillor W. Burke said that the estimated costs for refurbishing Cluain Mhuire would not bring it up to modern standards. He said the public would be inconvenienced and few staff wanted it. He said the County Buildings site was a good one, and the customer must be taken into account and the social cost. He said there was no doubt but that the Council would lose money in the resale of Cluain Mhuire. Councillor O'Sullivan said that the County Buildings was a prime site, and close to all facilities. He felt the cost difference between the two proposals would be small. He asked if the question of a surcharge would arise after a vote was taken.

Senator O'Cuiv said that the big difference in site value between the County Buildings and Cluain Mhuire was the accessibility factor, and this must be taken into account. He said that if Cluain Mhuire was purchased at 15% below its value, it should be possible to re-sell it at 15% below its value, and that there are institutional people who would be interested in it. He believed that it would be as cheap to develop the County Buildings site and that it would be worth paying extra for accessibility. Councillor Gavin said it would be wrong if the impression got out that they were only concerned with the interests of staff. He said that the County

Buildings was on a prime site, and he doubted if the proposed loan would be adequate for Cluain Mhuire. Councillor Finnegan said that everybody was at fault as regards the delay in finalising the matter. He said that the County Buildings site has great potential and was convenient for the public. He was convinced that the development of the County Buildings was the best option. He also asked about the question of Surcharge. Councillor Ryan said that the Council could not suffer the loss that would result from the re-sale of Cluain Mhuire.

The County Manager said that he wanted to ensure that in arriving at a decision, the Members had the correct information, and this had been set out in his reports which were circulated. He said it was his duty to advise the Council, and he was doing this. In regard to the potential loss on the re-sale of Cluain Mhuire, he said that he had received advice from two sources on this. He said that the figure of £400,000, which he had included in the report, could be on the conservative side. He said that the figure of £93,000 for purchase costs in respect of Cluain Mhuire was factual. The refurbishment costs for the County Buildings were based on figures received for Cluain Mhuire, and therefore, should be a good yardstick. He said that the sum for Architect's fees was factual, and was based on fees below the normal scale of fees. As regards carrying on business in the County Buildings, while it would be undergoing refurbishment, the County Manager said that this would be difficult, and he was aware of another local authority that had to move out into another premises. The County Manager said that some of the arguments being put forward against Cluain Mhuire were not factual, and said that the Members should rely on the facts supplied by the County Manager and County Engineer, whose responsibility it was to advise them. The County Manager agreed with Councillor O'Neill's point that the Council was finding it difficult to finance its services without the burden of extra loan charges, but said that the Motor Tax Office was in extremely bad condition and needed to be replaced urgently. He said that he was trying to involve the Council in as little outlay as possible in providing new office accommodation. He said that Cluain Mhuire was suitable for adaptation to offices. It was on a site of 7 acres and the ground floor rooms were eminently suitable for rooms for the public to transact their business while the upstairs rooms were ideal for single offices, which staff were looking for. He said that Cluain Mhuire was well located and its purchase was an excellent commercial transaction. New offices of another local authority in a designated area undergoing reconstruction at present, and with a much smaller floor area than Cluain Mhuire would have greater annual outgoings than Galway County Council. He said that he doubted if any Institutional Body

would be interested in purchasing Cluain Mhuire in view of the State's cutback on public expenditure. He did not think it would be desirable to develop the County Buildings site and sell one acre of it at the same time as suggested. The County Manager said that the staff decided to negotiate with management in relation to the move to Cluain Mhuire and prolonged negotiations took place. Subsequently, the staff opposed the move to Cluain Mhuire.

The County Manager said that during the debate, some Members had asked about the question of Surcharge. He said that he now had to exercise two statutory functions. He said he was formally advising the Members that if they changed their minds in relation to Cluain Mhuire, and if that was likely to result in a loss to Council funds, it was his statutory duty to advise them of the consequences. He said there was a legal obligation on him to give the Members a statutory warning if they were proposing to embark on a decision which of itself or together with a series of other decisions, could result in a loss or deficiency in the Council's funds and that the names of the Members voting for or against, or abstaining from the decision would be recorded in the Minutes of the Meeting. If a Charge was made subsequently by the Auditor, the Members causing the loss could be liable to be charged.

Senator O'Cuiv asked why the County Manager had not given the warning 15 months ago. The County Manager replied that the reason he gave the warning was because he understood that the Members were likely to make a decision at the Meeting rejecting Cluain Mhuire. Also some Members had asked about the possibility of Charge or Surcharge. The County Manager said that loan approval from the Department for the development of the County Buildings might not be forthcoming. Councillor Gavin said that as an elected representative, he would be making his decision in good faith, and he was very annoyed at the County Manager's warning. The Chairman said that the Manager was carrying out his obligations under the Management Acts. Senator O'Cuiv said that the proposal before the Council was whether or not to raise a loan and not the question of selling Cluain Mhuire. The County Manager said that he had made it clear that a decision taken at the Meeting could be the start of a series of decisions which could likely result in a loss to the Council's funds. He gave the same answer to Councillor Fahy who asked a similar question and said that he had discharged his duty as he was obliged to do. In reply to Councillor Loughnane, the County Manager said that he had made available whatever information he had. Senator Hussey said that the County Manager's statement could have serious consequences for many Members and proposed that the Meeting adjourn for a time.

Following some discussion, the Chairman decided that there would be a 10 minute adjournment, and the Meeting would resume at 6.40 p.m.

When the Meeting resumed, Councillor Ryan proposed the following resolution which was seconded by Councillor McDonagh:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approve the raising of a loan of £2.25M for the refurbishment of Cluain Mhuire for Council Offices made up of £0.5M for a new Motor Tax Office and £1.75M for the remainder of the refurbishment, the loan to be raised from such source and be repaid over such period and at such interest rate as may be approved by the Minister."

Councillor Fahy proposed that the matter be deferred to the next Meeting to allow his group get independent legal advice. This was seconded by Councillor Callanan.

Some Members referred again to the Council's liability to be charged, and the Chairman asked the Secretary to read out Section 16 of the City and County Management (Amendment) Act, 1955. The Secretary read out the said Section 16 as hereunder:

[1955.] *City and County Management* [No. 12.]  
(Amendment) Act, 1955.

16.—(1) Where a proposal is made at a meeting of a local authority to do or effect any act, matter or thing—

- (a) which constitutes a reserved function or is mentioned in a resolution under section 4 of this Act, and
- (b) in consequence of which an illegal payment is to be made out of the funds of the local authority, or a deficiency or loss is likely to result in or to such funds,

Obligations in case of proposal involving illegal payment, deficiency or loss.

the manager (or, in his absence, such other officer as may be designated by the manager) shall object and state the grounds of his objection, and, if a decision is taken on the proposal, the names of the members present and voting for and against the decision and abstaining from voting on the decision shall be recorded in the minutes of the meeting.

(2) Subsection (2) of section 61 of the Local Government Act, 1925 (No. 5 of 1925), shall cease to have effect in relation to a local authority.

(3) Where, in accordance with subsection (1) of this section, the names of the persons voting for a decision to do or effect any act, matter or thing are recorded in the minutes of the meeting of a local authority, those persons shall be surcharged on any surcharge or charged on any charge that may subsequently be made as a result of the decision as if they had made or authorised the making of the payment or caused the loss or deficiency, and no other person shall be surcharged or charged.

Councillor W. Burke proposed that the Council's Solicitor be invited to the Meeting. The Chairman said that he now had three proposals, and following some discussion, it was agreed to adjourn the Meeting to 8.00 p.m. and to contact the Council's Law Agent in the meantime.

The Meeting resumed at 8.00 p.m. with Mr. O'Donoghue, Law Agent, present. The Chairman referred to the fact that some Members had said that they were not aware of their liability in relation to charge and surcharge and reminded them that each of them had received a booklet from the Minister giving details of their powers and duties. He said that on page 48, the Manager's obligation to advise Members was clearly spelt out, and he read out the Section from the Booklet. The Chairman asked the Law Agent to explain the position regarding the Councillors liability.

Mr. O'Donoghue said that he regarded Section 16 as a logical corollary to Reserved Functions, i.e., that Members are accountable for their actions, and that there was an inbuilt warning system which the Manager had fulfilled. He said that the County Manager was the professional adviser to the Council, and where a proposal is made at a meeting, which in the opinion of the Manager, is likely to result in a loss of funds, he is obliged to object and advise the Members that the names of the Members voting for and against, will be recorded etc. He said that any loss was a matter for the Local Government Auditor. Mr. O'Donoghue replied to a number of questions from Members as follows:

He said that the question of charge would still apply even though a decision might be made with all sincerity and without any intent. He said that loss would include consequential loss in his opinion and that it was the Members voting on the proposal that would be responsible not previous Members. He said that the amount of the loss would be a matter for the Auditor. He said that he was the statutory person appointed to give legal advice to the Council and nobody else. He said the County Manager could not give the warning to the Members in order to get his own way, and could only use it in appropriate occasions, this being one of them. In his opinion, the County Manager had given the warning at the correct time. Should the cost of refurbishing Cluain Mhuire cost more than estimated, he said that the underestimation would not have been done knowingly and with intent.

On the question of voting in the positive or negative, Mr. O'Donoghue said that in his opinion, Members could be liable to charge once the result of their vote resulted in a loss to the Council funds. He said that the Council had the power to stop the purchase of

Cluain Mhuire when it was put before them. The Council had reached a stage in the development where, if the loan was not passed, the scheme would come to a halt, and in the Manager's opinion, a loss could result. As to whether or not the Members would be charged, Mr. O'Donoghue said that if a charge arose from an Audit, the Members causing the loss would be liable to be charged. He said he did not know if Members had ever been charged or surcharged as this is not a matter which comes before the Courts. If the value of the County Buildings appreciated after refurbishment, this would not help the issue, as in his opinion, one building could not be balanced against the other. He said that there was nothing in the Contract to purchase Cluain Mhuire about the use of the building. What was binding the Members at this stage was what had gone before, i.e., that the Council had purchased Cluain Mhuire for a well known purpose.

Councillor Ryan then proposed that his motion be put to the Meeting, and this was seconded by Councillor McClearn. The Chairman put Councillor Ryan's motion for the raising of the loan to the Meeting, and the result was as follows:

**FOR:**

Councillors T. Byrne, Deputy P. Connaughton, Councillors J. Mannion, J. McClearn, Deputy P. McCormack, Councillors J. McDonagh, M. Mullins, M. Ryan, and T. Walsh.

(9)

**AGAINST:**

Councillors J. Brennan, J. Burke, W. Burke, M. Finnerty, S. Gavin, M. O'Neill, P. O'Tuathail, and E. Varley.

(8)

**Abstaining:**

Councillor J. Callanana, Senator E. O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, Senator T. Hussey, Councillors M. Loughnane, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, M. Regan.

(12)

The Chairman declared the motion carried.

**AMENDMENT TO HIGHER EDUCATION GRANTS SCHEME, 1992:**

Report dated 23rd September, 1992, from County Secretary together with copy of Amendment required by the Department of Education to the Higher Education Grants Scheme, 1992, was submitted.

It was proposed by Councillor Mannion, seconded by Councillor Ryan, and resolved:

970

"That having considered the specimen Higher Education Grants Scheme for 1992, as circulated by the Department of Education, and having considered a draft of an Amendment to Clause 1(c)(i) of the said specimen scheme, also circulated by the Department of Education by letter dated 9th September, 1992, Galway County Council, pursuant to Section 5(1) of the Local Authorities (Higher Education Grants) Act, 1968, hereby determines that a Higher Education Grants Scheme fully in accordance with the said specimen scheme, amended as referred to herein, shall subject to the approval of the Minister for Education be implemented by Galway County Council."

**AUDIT OF ACCOUNTS OF COUNTY GALWAY V.E.C. FOR TWO YEARS ENDED 31ST DECEMBER, 1991:** 971

The report of the Audit was submitted and noted.

**AUDIT OF ACCOUNTS OF LOUGH CORRIB NAVIGATION TRUSTEES FOR YEAR ENDED 31ST DECEMBER, 1991:** 972

The report on the Audit was submitted and noted.

**AUDIT OF ACCOUNTS FOR RIVER SUCK JOINT DRAINAGE COMMITTEE: FOR YEAR ENDED 31ST DECEMBER, 1991:** 973

The report on the Audit was submitted and noted.

ITEMS 11, 12, 13, AND 14 WERE ADJOURNED.

**CONFERENCE - LET TOURISM WORK FOR YOU - ENNIS - 20TH/21ST NOVEMBER, 1992:** 974

On the proposition of Councillor McDonagh, seconded by Deputy Connaughton, it was agreed to nominate Councillor Mannion and Councillor Ryan to attend this Conference. On the proposition of Councillor Callanan, seconded by Senator Hussey, it was also agreed to nominate Councillor McHugh to attend this Conference.

**E.C. COMMISSION CONFERENCE ON INTER REGIONAL CO-OPERATION:** 975

The Chairman referred to letter dated 25th September, 1992, from the General Council of County Councils regarding an E.C. Conference on International co-operation being held in Brussels on 14th and 15th December, 1992. The letter stated that a request had been received from the Commission requesting the nomination of three elected members and three senior officials from Ireland for attendance at the

Conference. Each County Council was being asked to nominate either an elected member or a senior official or both to attend the Conference.

Councillor Mannion proposed that the Chairman and Mr. P.J. Gavin be nominated. This was seconded by Councillor Ryan and agreed.

FLOODING:

976

Councillor Byrne referred to the heavy flooding which had occurred in South Galway in recent years. He said that in view of the heavy rains recently, there was a danger that the flooding would recur. He proposed that the Department of the Environment be requested to make funds available in the coming year for the relief of this flooding. This was seconded by Councillor Fahy and agreed.

OGRAS:

977

Mhol an Comhairleoir O'Neachtain go scriobhfadh an Comhairle Contae chuig Conradh na Gaeilge a fhiafrai go gcoimeadfai an foireann iomlan d'Ogras ag obair. Cuidigh na Comhairleoiri le seo.

COUNCILLORS' NOTICES OF MOTION

N.O.M. NO. 18 - LANEWAY - CLR P. MCHUGH:

978

The following written reply was given to Clr. P. McHugh:

"As the above laneway is being used by vehicular traffic over a number of years further investigations are required. A further reply will issue as soon as possible."

N.O.M. NO. 19 - ROAD - CLR. J. McDONAGH:

979

The following written reply was given to Clr. J. McDonagh:

"The road from Glynn's corner to Cumber school is a minor County Road. There are no funds available in the current year for the carrying out of the works requested."

N.O.M. NO. 20 - FAS SCHEME - CLR. J. McDONAGH:

980

The following written reply was given to Clr. J. McDonagh:

"Detailed costs are being prepared by the Local Community Council and a further reply will issue on receipt of same."

N.O.M. NO. 21 - SAFETY - CLR. J. McDONAGH:

981

The following written reply was given to Clr. J. McDonagh:

"Statutory signs are erected on both approaches to the above school. "Caution Children Crossing" sign is also written on the approaches. There is also a large parking area in front of the school and visibility is considered reasonable. There are no funds available for the provision of additional signs."

N.O.M. NO. 22 - ROAD - CLR. M. CUNNINGHAM:

982

The following written reply was given to Clr. M. Cunningham:

"The Cartron to Cregg link road has been surface dressed. There are no funds available in the current year for the surface dressing of Ballynamana to Monksfield Road."

N.O.M. NO. 23 - WATER SCHEME - CLR. M. CUNNINGHAM:

983

The following written reply was given to Clr. M. Cunningham:

"Plans are at present being prepared for the provision of a new treatment works and distribution network for Gort Town. The proposed distribution network will be confined largely to the town itself."

It would be necessary to provide an extension of 4-5 miles in length in order to provide a supply to the Tubber Group Water Scheme. There are some extra houses which could be connected to the supply and it is suggested that these houses and the existing Tubber Group Scheme should seek funding from the Department of the Environment to provide an interconnecting Group Water Scheme."

N.O.M. NO. 24 - SIGNS - CLR. M. FAHY:

984

The following written reply was given to Clr. M. Fahy:

"Two new stop signs were recently erected at the above location which replaced yield signs. Appropriate writing is scheduled to be put on the road as soon as possible."

N.O.M. NO. 25 - SIGNS - CLR. M. FAHY:

985

The following written reply was given to Clr. M. Fahy:

"The appropriate statutory signs indicating bends are already in place on this stretch of road. However,



it is proposed erecting two additional statutory signs.

The banks near Hanniffy's cannot be removed without endangering the stability of the existing stone walls (the property owners responsibility) and such council action could incur liability to the land owner and to passing traffic.

However, if the land owners sets back the wall in question the Council will then remove the bank and surface the road up to the new wall."

N.O.M. NO. 26 - ROADS - CLR. M. LOUGHNANE: 986

The following written reply was given to Clr. M. Loughnane:

"The above Housing Estate is not in charge of the Council. It will be necessary for the Developer to make application to the Council requesting the taking in charge of same and also to submit as constructed drawings".

N.O.M. NO. 27 - PROMENADE - CLRS. T. BYRNE, J. MCCLEARN, W. BURKE, M. CUNNINGHAM, AND M. FAHY: 987

The following written reply was given to Clrs. T. Byrne, J. McClearn, W. Burke, M. Cunningham, and M. Fahy:

"The Council has no funds for such a proposal but would have no objection to discussing the matter with interested parties."

N.O.M. NO. 28 - WALL - CLR. C. NI FHATHARTA: 988

The following written reply was given to Clr. C. Ni Fhatharta:

"The estimated cost of carrying out the above works is £15,000. There are no funds available for this work in the current year."

N.O.M. NO. 29 - ROAD - CLR. C. NI FHATHARTA: 989

The following written reply was given to Clr. C. Ni Fhatharta:

"The provision of Speed Limit at above location is not recommended."

N.O.M. NO. 30 - ROAD - CLR. C. NI FHATHARTA: 990

The following written reply was given to Clr. C. Ni Fhatharta:

"The estimated cost of strengthening the above road is £35,000. There are no funds available for this work in the current year."

N.O.M. NO. 31 - HEDGE-TRIMMING - CLR. S. GAVIN: 991

The following written reply was given to Clr. S. Gavin:

"Hedge cutting is being carried out in the Oughterard Engineering area on an ongoing basis and the above location will be attended to when resources permit."

N.O.M. NO. 32 - POTHOLES - CLR. S. GAVIN: 992

The following written reply was given to Councillor S. Gavin:

"Routine maintenance will be carried out at the above location in order of priority and as resources permit."

N.O.M. NO. 33 - DELINEATORS - CLR. S. GAVIN: 993

The following written reply was given to Clr. S. Gavin:

"Delineators will be provided at the above location within the next two months."

N.O.M. NO. 34 - FLOODING - CLR. S. O'NEACHTAIN: 994

The following written reply was given to Clr. S. O'Neachtain:

"This cemetery is being considered for an S.E.S. Detailed costs are being prepared by the Local Community Council and a further reply will issue on receipt of same."

N.O.M. NO. 35 - SIGNS - CLR. S. O'NEACHTAIN: 995

The following written reply was given to Clr. S. O'Neachtain:

"Statutory signs are erected on both approaches to the above school. "Caution Children Crossing" sign is also written on the approaches. There is also a large parking area in front of the school and visibility is considered reasonable. There are no funds available for the provision of additional signs."

N.O.M. NO. 36 - ROAD SURFACE - CLR. S. O'NEACHTAIN: 996

The following written reply was given to Clr. S. O'Neachtain:

"The surface of the above road is in a reasonable condition. There are a number of minor flooding problems and these will be rectified as funds allow. It is hoped to have this work carried out as soon as possible."

N.O.M. NO. 37 - PLAN - CLR. E. VARLEY: 997

The following written reply was given to Clr. E. Varley:

"The plan for Headford Square is in the process of being finalized at present. A further reply will issue in due course."

N.O.M. NO. 38 - BEND - CLR. E. VARLEY: 998

The following written reply was given to Clr. E. Varley:

"The above location is the N.S. route N.84. Such works are 100% Exchequer funded. No strengthening grant was provided for this location in the current year."

N.O.M. NO. 39 - SIGN - CLR. E. VARLEY: 999

The following written reply was given to Clr. E. Varley:

"A Yield sign will be erected at the above location as soon as possible."

N.O.M. NO. 40: - ROADS - CLR. P. MCHUGH: 1000

The following written reply was given to Clr. P. McHugh:

(a) "In the past sand pits were excavated close to the road boundary fence at the above location. In recent times further slippage of gravel has been taking place but the situation will be closely monitored so that any deterioration in road condition can be detected."

(b) This road is not in charge of Galway Co. Council."

N.O.M. NO. 41: - FLOODING - CLR. P. MCHUGH: 1001

The following written reply was given to Clr. P. McHugh:

"Several miles of public road often become impassable at this location each winter due to flooding of adjoining land. This flooding is outside the control of Galway County Council and its relief would involve major land drainage works etc."

N.O.M. NO. 42 - SIGNPOSTING - CLR. P. MCHUGH: 1002

The following written reply was given to Clr. P. McHugh:

"Signposting will be provided as requested."

RUN UIMHIR 43 - BOTHAIR - AN SEAN. E. O'CUIV: 1003

Seo leanan an freagra a tugadh don Sean. O'Cuiv:

"Rinneadh damaiste doleasaithe do roinnt boithre i limistéar innealtoireacht An Clochan le deanai. Ta damaiste a chosnoidh thart ar £40,000 deanta air ceithre bhothair i gceanntar Seanafarachain/Fionnaithe. Meastar go gcosnoidh se in iomlan £177,000 damaiste na tuillti seo a leasu.

Nil aon airgid ar fail imbliana le h-aghaidh an obair seo, ach ta tuarascail a ullmhu chun seoladh chuig an Roinn Comhshaoil."

N.O.M. NO. 44 - ROAD - SEN. E. O'CUIV: 1004

The following written reply was given to Senator E. O'Cuiv:

"There are no funds available in the Clifden Engineering Area for the carrying out of routine maintenance on county roads. The above location will be considered for routine maintenance early in 1993."

N.O.M. NO. 45 - ROAD - SEN. E. O'CUIV: 1005

The following written reply was given to Sen. E. O'Cuiv:

"There are no funds available in the Clifden Engineering Area for the carrying out of routine maintenance on county roads.

The above location will be considered for routine maintenance early in 1993."

THE MEETING THEN ENDED

SUBMITTED, APPROVED & CONFIRMED:

*Michael O'Connell* CHAIRMAN  
23/10/1992 DATE

MINUTES OF ARTS COMMITTEE MEETING ON 14TH SEPT. 1992

PRESENT; Chairman - Clr. J. Mannion  
Deputy M. Kitt, Clrs. M. Fahy, P. McHugh  
T. Walsh, J. Burke, T. Byrne, Ml. O'Neill  
and Mr. J. Joyce

T. Kavanagh, Co. Secretary  
J. Harrold, Arts Organiser  
M. Moloney, A.S.O.

Adoption of the minutes of meeting of 9th July, 1992 was proposed by Clr. M. Fahy and seconded by Clr. T. Walsh.

Arising from the minutes, the members were informed that sponsorship for the Arts Awards had now been secured for all 5 Electoral Areas.

A letter was read on behalf of the Arts Groups in the city pledging recognition of the County Council's support for arts events in the city, and pointing out that this had already appeared on letterheads and brochures.

ARTS AWARDS:

The Chairman informed the Committee that Clr. T. Byrne had approached Clarinbridge Crystal for sponsorship of the main award. They agreed to this on the basis that we buy the other prizes there. This was welcomed by the Committee and arrangements would be put in train to contact the shop. A discussion took place on the allocation of prizes and it was agreed as follows:-

£200 prize for each E.A. (£1,000)  
Balance of £500 to be spent on  
Reception and advertising.

The Arts Organiser informed the meeting that he had been in contact with a hotel in the county regarding a reception but the Committee considered the probable cost was too high. Clr. P. McHugh thought that a central location should be chosen. Regarding the type of reception Clr. T. Walsh did not think that sponsorship money should be spent on an expensive reception. Clr. J. Burke suggested that the RTC might be prepared to cater for the event. It was agreed that RTC be contacted with a view to availability and cost.

The Councillors expressed various views on the question of invitations but it was decided to defer consideration of this until the next meeting.

It was unanimously agreed, that the Minister of State for Arts and Culture, Deputy Tom Kitt, be invited.

Arts Committee - (4/19/92)

The Chairman said that advertising of the event should commence as soon as possible and the Co. Secretary and J. Harrold undertook to draft an advertisement and contact journalists and Galway Bay FM.

It was decided that the closing date for entries would be 30th October, 1992. The presentation of the awards was targeted for early Dec. and, if not, early January, 1993.

A long discussion then took place on the selection of adjudicators. Clr. M. O'Neill said it was important that people see the judges as impartial. J. Harrold suggested some Press Arts critics. In reply to Clr. O'Neill, the Arts Organiser said the awards would be based on written submissions by a third party on behalf of artists or groups; or artists or groups themselves could submit their own application. The submissions would be read, researched and shortlisted.

It was unanimously agreed that the Committee would not participate in the adjudication.

It was agreed that the sponsors be thanked for their sponsorship and requested to forward the finance offered.

MAGAZINE:

The production of the magazine was referred to by the Chairman who was informed by J. Harrold that the Connacht Tribune was not interested in selling advertisements. However, he said that Johann Hofsteenge and Orla McMahon would be interested. The Chairman suggested they be invited to attend the next Committee meeting and this was agreed.

ARTS GRANT 1993

Mr. J. Joyce suggested that the Committee should seek an increase of £2,500 in the Arts allocation for 1993 to bring the total to £30,000. This was unanimously agreed.

Date of next meeting to be arranged by the Chairman.

SUBMITTED, APPROVED & CONFIRMED

Michael Walsh CHAIRMAN

23/10/1992 DATE