

COMHAIRLE CHONTAE NA GAILLIMH

(Galway County Council)

Oifig an Runai,
Arus an Chontae,
Cnoc na Radharc,
GAILLIMH.

6th January, 1993.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Pursuant to Section 83 of the Local Government Act, 1946, notice is hereby given that it is proposed to sell a dwelling owned by the Council particulars of which are set out hereunder:-

ACQUIRED FROM: Galway Corporation

LOCATION OF DWELLING: 5, St. Brigid's Place,
Bohermore,
Galway.

PERSON TO WHOM HOUSE IS PROPOSED TO BE SOLD:

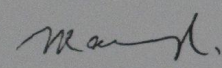
Joseph & Mary T. O'Boyle, 5 St. Brigid's Place, Bohermore,
Galway.

SALE PRICE: £13,500

This matter will appear on the Agenda for consideration at the next Meeting of the Council which will be held after the expiration of 10 days from the date of this notice.

This sale was approved previously by the Council at a sale price of £12,000. After consultation with the Department of the Environment, it has been agreed that the sale price should be £13,500, and the Council's approval is requested accordingly.

Mise, le meas,


T. KAVANAGH,
COUNTY SECRETARY.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL
HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 8TH
JANUARY, 1993.

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, Deputies P. Connaughton, E. O'Cuiv, Councillors M. Cunningham, M. Fahy, M. Finnerty, S. Gavin, 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; T. O'Donoghue, Law Agent; E. Lusby, Finance Officer, L. Kavanagh, Senior Executive Engineer; J. McGovern, Administrative Officer; J. Murphy, Senior Staff Officer; P. Carroll, Staff Officer; and T. Kavanagh, County Secretary.

The Opening Prayer was recited.

MIN. NO

TELEVISION RELAY SYSTEM AT LOUGHREA:

1201

Councillor Regan proposed that the Council write to the Minister for Communications, Mrs. Maire Geoghegan-Quinn asking her to legalise the television relay system at Loughrea. This was agreed.

MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN
- APPLICATION FOR OUTLINE PERMISSION FOR ERECTION OF
20 DWELLINGHOUSES AT COSMONA, LOUGHREA: APPLICANT:
OMAC LABORATORIES LIMITED: PLANNING REFERENCE NO.
67511:

1202

Councillor Loughnane said he was proposing that Outline Permission be granted in this case and this was seconded by Deputy Connaughton. The following report of the Planning Officer dated 6th January,

1993, was circulated to each Member prior to the Meeting:

DESCRIPTION: The proposal is for outline permission to erect 20 number semi-detached dwellinghouses and ancillary open space, roads and services. The site area is 3.15 acres approximately.

LOCATION: The site of this planning application is located on a County Road 200 metres north of the Galway-Loughrea Road. The site adjoins the Omac Laboratories and Telecom Eireann Area Headquarters. There is no other development in the vicinity of the site.

ZONING: The site is located in an area which is zoned for agricultural use in the Loughrea Development Plan, Housing estate development is not normally permitted within the agriculture zone (Table 3.3)

SERVICES: The site is accessed by a County Road which joins the national secondary road within the 40 mph speed limit area.

There is an existing foul sewer and public watermain on the County Road fronting the site to which applicant proposes to connect. The foul sewer has adequate capacity to cater for the proposed development.

Available pressure on the public watermain fronting the site is low. The quantity of water available, however, is adequate and the proposed development could be served by the existing main through the installation of a booster pump. I have discussed this with Mr. McDonnell, B.E., (applicant's agent) and he sees no difficulty in applicant installing a booster system on the watermain.

STATUTORY CONSIDERATIONS:

A decision to grant outline permission cannot be made unless a resolution is passed by the Members, requiring that such a decision be made in accordance with Section 26 (3) of the 1963 Planning Act as substituted by Section 39(d) of the 1976 Planning Act, as amended by Section 45 of the Local Government Act, 1991.

Public notice of the Council's intention to consider deciding to grant this Outline Permission was given in the Irish Press on Saturday, 9th December, 1992, and the notice invited members of the public to submit representations or objections if they so wished.

No representation or objections have been received to date.

If a resolution is passed requiring that a decision to grant outline permission be made, such a decision will issue, otherwise a decision to refuse outline permission must issue.

The latest date for a decision on this application is 1st February, 1993."

The County Engineer said he wished to make a correction in the report in the fourth paragraph of page 1, and said that the words "National Secondary Road" should read "National Primary Road". The county Engineer then read through the report. He said that the site was located within the area of the Loughrea Development Plan and could be serviced by public water and sewage mains. He said that the proposal was a reasonable one and he was prepared to recommend the granting of Outline Permission.

Deputy Connaughton said he believed the application would result in good planning and development. He said it was a good development and everybody seemed to be happy with it with no objections. He was informed by the County Engineer that the public water supply would be adequate if the Developer installed a booster pump which he was prepared to do. Councillor Loughnane said that the proposed development was within the town area and the by-pass. He said it was close to the built up area and perhaps could have been zoned for development. He congratulated the developers on their application saying that they were good employers in Loughrea. A number of Members and the Chairman spoke in favour of granting Outline Permission. It was then proposed by Councillor Loughnane, and seconded by Deputy Connaughton:

"That having considered the Planning Application made by Omac Laboratories Ltd. for Outline Permission for erection of 20 no. dwellinghouses at Cosmona, Loughrea, Planning Register No. 67511, and having considered the report of the County Engineer on the matter, Galway County Council in accordance with the provisions of Section 26(3) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39.(d) of the Local Government (Planning and Development) Act, 1976, as amended by Section 45 of the Local Government Act, 1991, hereby require that a decision to grant outline permission be made in the case of this application."

A vote taken on the proposal resulted as follows:

FOR: Councillors J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, Deputies P.

Connaughton, E. O'Cuiv, Councillors M. Cunningham, M. Fahy, M. Finnerty, S. Gavin, M. Loughnane, J. Mannion, J. McClearn, Deputy P. McCormack, Councillors P. McHugh, M. Mullins, C. Ni Phatharta, S. O'Neachtain, M. O'Neill, Councillors P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley and T. Walsh.

(26)

AGAINST: None.

The Chairman declared the resolution carried.

COUNTY MANAGER'S RETIREMENT: 1203

Councillor Fahy proposed that a special meeting of the Council be held on the 29th January to enable the Members pay tribute to the County Manager on his retirement. The County Manager said he would prefer if a Special Meeting was not held. Having discussed the matter during the teabreak, the Party Whips agreed that tributes would be paid to the County Manager at the Monthly Meeting on the 25th January.

SEPTIC TANK STANDARD S.R.6: 1991: 1204

Deputy O'Cuiv enquired of the qualifications required of people to carry out the percolation tests under S.R. 6: 1991. He said it seemed that some people who were doing the work for a long time were not acceptable even though they had qualifications which qualified them for special allowances. He asked that the situation be reviewed.

The County Manager said that he had met a group of people who made submissions on the matter and he would be looking at these within a week or so. He said that the Council was obliged to comply with the requirements of S.R.6: 1991 and this required the submission of a certificate and not everybody would be qualified to submit the certificate. Councillor Cunningham said that Galway seemed to be one of only a few Counties operating the new standard. Councillor O'Neill asked how applicants know who is qualified to do the test and the County Engineer explained that the Council listed the qualifications of people who are qualified, i.e., those with suitable third level qualifications. The County Manager said that the matter was under review.

Councillor O'Neachtain said that occasionally requests for Further Information are issued just before the two month period expires and he asked that this be avoided. Deputy O'Cuiv said that when an applicant replies to Further Information, the application should not be put back for a further two months for a

decision. The County Engineer said that these matters would be looked at.

PLANNING APPLICATIONS - ADVANCE NOTICE TO BE GIVEN TO THE COUNTY SECRETARY: 1205

The County Secretary said that he had not received any Advance Notice of Applications.

SUBMISSION BY STRUCTURAL FUNDS REVIEW COMMITTEE: - WEST SUB-REGION: 1206

A Copy of the submission to the Minister for Finance of the West Sub-Region Structural Funds Review Committee had been circulated to each Member. The County Manager explained that the Members of the Review Committee were listed in Appendix B, and all the various Bodies who had made submissions were listed in Appendix C. He said the Consultants, Brady, Shipman & Martyn were appointed by the Committee to pull all the recommendations and submissions together and draft a report. The Terms of Reference from the Minister were to request the Committee's input on the "development strategies that should be pursued in the sub-region, the measures through which those strategies should be implemented and the relative priority which should be given to the various measures. On the basis that the next round of Structural Funds will again be implemented through a series of Operational Programmes similar to the existing round, the submission makes recommendations on the content, extent and priorities that should be accorded to various measures including the introduction of new measures and programmes in a format that reflects the existing Operational Programmes. The County Manager said that the one page "Overview" at the beginning of the document was intended to focus sharply on the most important points of the submission. Section 3 of Part 1 dealt with Objectives and Strategy and Part 11 dealt with all the various sectors such as Agriculture, Forestry, Tourism, etc. The County Manager said that the Report emphasised the need for better funding for County Roads.

Deputy Connaughton complimented the Members of the Committee and all involved in preparing the report which he said was thorough and co-ordinated. He said that the report had come at a most opportune time for the Sub-Region. However, there was no way of knowing whether the Department of Finance would take any notice of it. He said there appeared to be a divergence of views as to how the National Plan would be put together and what the relationship was between the sub-regions and the County Enterprise Boards. He said he would like clarification as to how the Sub-Regional Plan fits in with the plans to be prepared by the County Enterprise Boards. The

Chairman said that only one inaugural meeting of the County Enterprise Boards had taken place and they would have to await further developments.

Councillor McHugh said that while the Report contained a lot of useful information, it was frustrating to read. He said it was not a readable document, the presentation was bad, there were too many pages in it, and some submissions were vague. He said he agreed with the strategy and the development of linkages. In regard to agriculture, he said that enough attention was not given to alternative farm enterprises and agri-tourism was not dealt with in a proper structured way. In regard to the development of rural villages, he said that villages should qualify for some form of urban renewal assistance. He said that a Committee should be set up to see to the implementation of the Programmes and that clarification was required as to whether the County Enterprise Boards would produce another Plan for the County. Councillor Brennan said he was afraid that many of the proposals in the Submission would be ignored by the Department of Finance. He said he would like to see a representative from the West Sub-Region in Europe fighting for funds for the region, and proposed that the Department of the Environment accept a nominee from the region to represent it in Europe.

An Comhairleoir O'Neachtain said that the Report was a wide ranging one. He said it was important to concentrate on the funding which is expected from Europe, because heretofore, it was mainly allocated to the eastern part of the country. He said that Dublin on its own would not qualify as an Objective 1 Area and that this point must be emphasised loud and clear. He felt that the County Enterprise Boards could work within the framework of the Regional Plan.

Councillor Gavin said that he enjoyed working as a member of the Review Committee on which there was great co-operation. He said that 61 submissions were made to the Committee and he felt that the Consultants had done an excellent job. He cautioned, however, that the report was only a submission and none of it may be included in the National Plan. He said Members of the Oireachtas should now put on pressure to ensure that the recommendations are included. He paid tribute to the Chairman and Secretary of the Committee. Councillor Walsh, who was also a member of the Committee, said that he too was impressed with the co-operation and workings of the committee. He was concerned, however, as to whether the recommendations would be included in the National Plan, and how to ensure that we get the best results.

Deputy O'Cuiv said that while he did not doubt the professionalism of the people who drew up the report,

he was not happy with it. He said the document tried to do something for everybody and something could be selected from it which might only have a low priority. He said there was a need to prioritise and he would like to see a simple summary at the back. He said he did not agree with the concept of isolating rural development and it should be treated the same as urban development. He said the case for roads should not be put forward solely on the basis of tourism or forestry but on the basis of people's needs. He said that subsidising transport from the west was wrong and he explained why he thought so. Finally, he said he was not happy to let Dublin pick and choose from the document as the wrong items could be selected.

At this point, there was a short adjournment for a teabreak. When the Meeting resumed, Councillor Callanan spoke and said he considered the report a good one. He asked if there were any links with the report being prepared by the Western Bishops. He said there were good ideas in the report on agriculture and support for small farmers. He stressed the importance of protecting and developing rural villages including housing development.

The Chairman said the Secretary would send away the comments of the Members to the Department of Finance.

COUNCIL OFFICES:

1207

A copy of letter dated 11th December, 1992, from the Department of the Environment approving of loan of £2.25 M. for the refurbishment of Cluain Mhuire, together with copy of Advice from Senior Counsel, John Gallagher, regarding Section 4 Resolution, were circulated to each Member with the Agenda. Councillor Joe Burke make the following Statement:

"I have been a Member of this County Council since 1979, and I have at all times supported the orderly management of this Council. Our power is now being eroded, and I cannot accept this.

The original proposed motion was not in any way intended to make life difficult for the Manager, but it was put forward as part of an exercise, to ensure that Galway county Council would get the best possible value for the proposed expenditure, and to enable the public, the County Council, and its staff to go forward into the 21st Century in surroundings that would be conducive to providing an easily accessible service of high quality to the members of the Council, and public in general.

It is not just the 2.5 million which is being borrowed, the actual cost of the borrowing must be added, which will bring the borrowing requirements to a much higher level.

The Senior Counsel's opinion which refers to the uncertainty of the Section 4 motion passed by this Council, is in itself uncertain in that it does not appear to understand the purpose of the Section 4 motion, which is to ensure that no monies would be expended without a full evaluation of the various options available to the Council.

It appears to me as a Business Man that an investment of this magnitude particularly of public monies, must be examined thoroughly, and I, as an elected representative of this County would be failing in my duty if I did not ensure that the rate payers of Galway get at least fair value for money.

I wish to state that we as public representatives have powers which now appear to be disregarded.

(A) Quotes from pages 69, 23, 24, 45 of elected Members Booklet.

Democracy in this County seems to have fallen out the window. Last year our County Engineer told a number of County Councillors we had no say in money being spent in this County. This was since proved untrue. Now the Manager says he is advised he must not implement a Section 4 passed by 17 votes to 8 votes. Legally, the Manager is obliged to advise, and assist on wording he considers valid. The onus is on the County Manager to ensure a valid Section 4 is carried out. No clarification was sought from any of the Members who signed the Section 4 on the 23rd October, 1992. It is unacceptable that after a Section 4 being passed at this Council 77 days ago that a letter arrives from the Manager informing us of a refusal to implement that Section 4. We as Councillors represent people, our power comes from the people, and the County Manager must recognise our rights and implement our decisions. I appeal to the Manager to respect us as Councillors, respect your staff, respect the public, and do not hand over to your successor, a divided County Council with members and staff, management, public at loggerheads. Let your work over the years which we all recognise be evidence of your managership.

I am aware Clr. Willie Burke is to introduce Section 3 motion, if Co. Manager disregards further the wish of this County Council. I will formally propose that the County Manager inform us as County Councillors, before he spends any money on Cluain Mhuire, also to advise us how we can stop the spending of such money. If this request is not honoured, I will personally seek a court injunction to ensure our wish is carried out."

The County Manager said that he wished to put the record straight and state that the letter which Councillor Burke referred to was from Mr. John Gallagher, Senior Counsel with no comment from him (County Manager). As regards compliance with the Law, the County Manager said he wished to assure the Council that he was well aware of the Law and scrupulously observed it. He said he had sought legal advice from the Council's Law Agent and Senior Counsel's Opinion had been obtained. He said that Section 2 of the City and County Management (Amendment) Act, 1955, had been complied and Section 3 did not seem relevant at this stage. The Section 4 contained a number of proposals which were unclear and wide ranging. He said he knew it was invalid but he felt that the Council were entitled to a Counsel's Opinion on it, and he got this for the benefit of the Council. The Advice from Senior Counsel had come to hand and it was put before the Members for their attention.

Councillor Willie Burke said that the Council had new information from SIPTU. He had hoped Cluain Mhuire would not be on the Agenda. He said he would do everything to prevent the scandalous move to Cluain Mhuire. He had got Legal Advice on it. He said he had checked with the Office of Public Works and the costs outlined in the Union letter seemed to be right. The County Manager said there were inaccuracies in the document from the Union and a report would be sent to the members on it. Councillor Willie Burke said there were inaccuracies in the County Manager's document. When asked by the County Manager what document he was referring to, Councillor W. Burke referred to the document which pointed out that there could be a loss of over £1 million. The County Manager said that there were four figures in that calculation, two of which were actual and two were estimated. The Chairman said that as the Minister had sanctioned the loan, he may be the only person who can change matters. Councillor Willie Burke said he disagreed with this and said he proposed to move a Section 3 motion.

Deputy O'Cuiv asked where the Council stood as regards the loan which had been approved. The County Manager said that the matter was put on the Agenda mainly to inform the Members that the loan had been sanctioned. Deputy O'Cuiv asked if it was possible to get particulars of the loan arrangements as mentioned in the letter of sanction. He also proposed that Senior Counsel be asked for more substantial reasons for declaring the Section 4 invalid, and that the matter be adjourned until that information is at hand.

The County Manager said that this information would be sought and suggested that Senior Counsel be asked to advise as to whether the motion under Section 3 of the

1955 Act could be validly put forward at this stage. This was agreed. The Chairman suggested to Councillor Willie Burke that he hand in the Section 3 motion to the County Secretary.

Councillor Fahy said that as the Council had approved the loan and the loan had now been sanctioned, that seemed to be the end of it. Councillor Quinn said that she had no input into the decision as she had to leave the meeting at which the loan was approved. Replying to Councillor Fahy, the County Manager said that it was possible to move forward but a decision had not been made on it. Replying to Councillor O'Sullivan, the County Manager said that the figures which he used were the Consultant's figures who prepared the Plans. Councillor Joe Burke said that the County Manager should advise the Members on the wording of a Section 4 which would be acceptable.

Councillor Callanan said he was of the opinion that the County Buildings should remain the Headquarters and he would like to know how he could forward that opinion, and what type of motion would be required to do it. He said the County Manager should have advised the Councillors what was wrong with the Section 4 Resolution. The County Manager explained again that he knew the resolution was not in order but he wished to confirm this by getting Counsel's Opinion on it, and that had been circulated to the Members. He said there was no obligation on him to advise the Members in relation to the wording of a Section 4 resolution which could result in a loss of funds. Councillor Callanan said that a majority of the Council were in favour of remaining in the County Buildings.

Deputy O'Cuiv asked if the Department of the Environment was advised of the passing of the Section 4 Resolution which was contrary to the previous resolution approving of the loan. The County Manager replied that the borrowing resolution had been sent to the Department first, and when the Section 4 resolution was passed, he notified the Department of it, and also of his intention to get Counsel's Opinion on it. The Department asked for the Section 4 resolution and also the Counsel's Opinion when available. In reply to Deputy O'Cuiv, the County Manager said that the borrowing resolution was specifically for Cluain Mhuire.

Councillor Loughnane asked if the decision to proceed from here was an Executive decision, and the County manager replied in the affirmative. Councillor Joe Burke said that according to page 45 of the Elected Members booklet, the Manager must advise in relation to Reserved Functions and he asked if Mr. O'Donoghue, Law Agent could advise in relation to the wording of a suitable Section 4 resolution. The County Manager

replied that the Law Agent could not advise in relation to a Section 4 resolution that could result in a loss of funds. Councillor Joe Burke said that because of the recession, there could be a loss irrespective of whichever site was developed. The County Manager said that there would be no loss in the development of Cluain Mhuire. Councillor O'Neill said that he supported Deputy O'Cuiv about getting the reasons why the Section 4 was invalid. Deputy O'Cuiv asked that no Executive decision be taken until the information requested is brought back before the Council. The County Manager agreed with this. The Chairman said that the matter would be adjourned until the clarification and Advice from Senior Counsel becomes available.

CONFERENCES: 1208

Councillor Mannion said that there was a Conference - Initiative 94 in the Sligo Park Hotel on the 14th and 15th January which had a bearing on Structural Funds, and he proposed that the attendance of Councillor Ryan and Councillor McDonagh be approved. This was seconded by Councillor Walsh and agreed. Councillor Fahy proposed that Councillor Callanan also attend the Conference and this was seconded by Councillor Regan and agreed.

ROADS: 1209

Councillor Quinn enquired about the position of the Kilclooney road which she said was very dangerous. The County Engineer replied that a design had been completed for the road and C.P.O. documents were being prepared. Subject to a grant becoming available, he said he hoped that a start could be made towards the end of 1993.

CONRADH NA GAELIGE: 1210

Duirt an Comhairleoir O Gabhain go mbeadh Comoradh cead blian a cheiliuradh ag Conradh na Gaeilge i 1993 agus d'iarr se ar an Comhairle tacaiocht a thabhairt chun Telefis Gaeilge a chur ar fail. Cuidigh an Comhairle leis an moladh.

SYMPATHY: 1211

Resolutions of sympathy were adopted with the following:

- Mrs. Peggy Judge, Caherlistrane, Headford, Co. Galway.
- Mrs. Kathleen Reilly, Beaghmore, Belclare, Tuam.
- The Davin Family, Shrule, Co. Galway.
- Mrs. Mary Dervan, Ochilmore, Laurencetown, Ballinasloe, Co. Galway.

THE MEETING THEN ENDED

SUBMITTED, APPROVED & CONFIRMED
Kathal Kull CHAIRMAN
22/2/93 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae
GAILLIMH

31 la Nollag, 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 hAoine, an 8u la Eanair, 1993, ar a 3.00 a chlog sa trathnona.

Mise, le meas,

T. O'CAOMHANAIGH

RUNAI

A G E N D A

- 1 - Material Contravention of the Development Plan
Application for erection of 20 dwellinghouses
at Cosmona, Loughrea - Applicant Omac Laboratories Ltd.
Planning Ref. No. 67511
- 2 - Planning Applications - advance notice to be given to
County Secretary.
- 3 - Submission by Structural Funds Review Committee -
West Sub-Region.
- 4 - Council offices - copy of Legal Opinion and Loan
sanction attached.
- 5 - Guaranteed Irish Promotion.

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 21ST
DECEMBER, 1992.

IN THE CHAIR: Councillor Michael Mullins.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, W. Burke,
T. Byrne, J. Callanan, Deputies P.
Connaughton, E. O'Cuiv, Councillors
M. Cunningham, M. Fahy, P. Finnegan,
M. Finnerty, Seamus Gavin,
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;
E. Lusby, Finance Officer; L.
Kavanagh, Senior Executive Engineer;
Ms. M. Gaughran, Staff Officer; and
T. Kavanagh, County Secretary.

The Opening Prayer was recited.

MIN. NO.

RETIREMENT OF COUNTY MANAGER, MR. S. KEATING:

1154

The Chairman referred to letter received by each Member from the County Manager announcing his forthcoming retirement. The Chairman said that he was saddened to hear the news and knew that he was speaking for all the Members in saying that. He said that Mr. Keating had given a lifetime of public service to Local Government, and words of his were inadequate to express the thanks and appreciation which he deserved. He said that Mr. Keating had been Manager for Galway City and County over a period of two decades during which time extensive development took place under his leadership. He said that the position of County Manager was a tough one and often lonely but Mr. Keating was a man apart and commanded the respect of everyone in a tightly run organisation. The Chairman thanked Mr. Keating for his courtesy and kindness to him as a public representative and as Chairman. He thanked Mr. Keating for his service to the people of County Galway and was glad to see him in good health. The Chairman wished Mr. Keating and his

wife many happy years of retirement. The Chairman said that each Member would have an opportunity to pay tribute to Mr. Keating at a future meeting but invited a representative from each of the Parties to say a few words.

Councillor Ryan said that he was also saddened when he got the letter from Mr. Keating announcing his retirement. He said that he had known Mr. Keating since he came to Galway and he had given outstanding service to the City and County. He said he served the County well and would leave many outstanding achievements behind him. He said he was delighted that Mr. Keating was retiring in good health and wished him and his wife every health and happiness in retirement.

Councillor Fahy said that he was also sorry to hear of Mr. Keating's retirement. He said he wanted to pay a special tribute to Mr. Keating as nobody deserved it more. He said that there had been wonderful progress in the County over the last 20 years and Mr. Keating had left many monuments of his achievements behind him. He said that Mr. Keating had been involved in organising a number of historic occasions such as the visits of the Pope and President Reagan. Councillor Fahy thanked Mr. Keating on behalf of the Fianna Fail Members for all the help and advice he had given them over the years, and wished him and his wife every health and happiness.

Gabh an Comhairleoir O'Gabhain buiochas don Bainisteoir Chontae ata ag eiri as oifig tar eis fiche bliain mar Bainisteoir Contae agus Cathrach na Gaillimhe. Duirt an Comhairleoir O'Gabhain go raibh se cinnte go raibh baint mor ag an Bainisteoir san forbairt agus an dul chun chinn i rith na fiche bliain sin. Councillor Gavin said that the position of County Manager was an onerous one and since he became a Member of the Council, he had enjoyed excellent co-operation from the County Manager and Staff. On behalf of the Independent Members, he wished the County Manager a very happy retirement.

Councillor Varley, on behalf of the Progressive Democrats, said that she was also saddened to hear of Mr. Keating's retirement. She praised Mr. Keating for all the good work he had done over a very wide area including tourism. She said that he was always courteous and understanding, and that he would be a big loss to Galway City and County. He wished Mr. Keating, his wife and family, a Happy Christmas and a very Happy Retirement.

On behalf of the Press, Bernie Ni Fhlaithearta thanked Mr. Keating for his assistance to them over the years. She said that he was always very approachable and she wished him many happy years of retirement.

The County Manager thanked the Chairman and Members for their tributes. He said he always found the Members most understanding even though they may have had different points of view. He said that he and his family had enjoyed living in Galway for the past 20 years and he would now like to take life a little easier. He said he would have many other things to say on another occasion, and said he could not pay enough compliments to the Staff.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 67191 - APPLICANT: MR. MARTIN JENNINGS:

1155

Do mhol an Teachta O'Cuiv an run ar an Chlar. Duirt se go raibh an iarrathoir i Meircea ag an am agus nuair a thainig se ar ais, bhi balla balastraid togtha. Duirt an Teachta O'Cuiv nar aontaigh se leis na moltaí san tuarascail chun an iarratas a dhiultiu. Duirt se go raibh an-chruth ar an teach. Duirt se nach dtosnodh se "precedent". Bhi an teach suite ar immeall an sraid bhaile agus b'e imitheoir an iarrathoir a thainig abhaile. Mhol se cead pleanala a thabhairt san chas seo. Deputy O'Cuiv said that all of Duiche Seoighe was designated as an area of outstanding amenity and that too much of West Galway was designated in this category. He said that the development was not out in open countryside and was adjacent to Clonbur village. He said that the building of the fence was not a blatant breach of the planing permission. The applicant was in America at the time, and the cost of replacing the fence would be astronomical. He said that the house was very well built with great attention being paid to every detail. The resolution was seconded by An Comhairleoir Ni Phatharta.

The County Engineer read through the Planning Officer's Report which had been circulated to each Member of the Council:

"PLANNING HISTORY:

The site is in Clonbur Village at the North Western entrance thereto on the road coming from Finney Lough Nafoeoy, Cloughbrack, etc. It is in an area of Outstanding Scenic Amenity and on an important tourist route.

Mr. Jennings, the applicant, applied for Planning Permission for a house in October, 1987 and was granted planning permission in 1988 for the erection of dwellinghouse, septic tank, fuel shed and boundary walls, ref. no. 55157. No wall type or fence type were specified in the planning application made. Condition No. 4(b) of this grant of planning permission specified:-

"The new front boundary fence shall be local unplastered stone.

REASON: In the interests of visual amenity."

There is an uninterrupted tradition of stone wall construction in the area particularly along the Northern boundary of this County Road No. 76, continuing Westwards and bounding Rosshill Lodge estate and Petersburgh House estate etc. All development in this area has so far respected this tradition which has given Clonbur and its approach roads the unspoilt character which it has. This development is an intrusion into the local landscape which is alien and ugly. Moreover the front boundary extends around the South East corner of the site bordering the cemetery roadway access which has been maintained (other than in this case) in keeping with the amenity of the area.

This development was carried out in the full knowledge that it was blatantly in complete contravention of condition no. 4(b) of the grant of Planning Permission as can be seen from the following:-

In March 1989 (14 months after grant of planning permission) Mr. Jennings wrote to the Planning Authority wondering "if in relation to Condition No. 4 he could build the new boundary fence from cut limestone with mortice, and he was told in letter to him in April, 1988 that "cut limestone as proposed in his letter would be acceptable and would be in compliance with condition". This in itself indicated that the applicant knew full well he could not deviate from the condition imposed.

The continued existence of this wall ridicules the efforts of local people who have, through the years had the foresight and vision to keep the area and village in particular true to its traditional architectural values and qualities of their planning permissions and complied with conditions imposed i.e., not broken the law.

To propose to retain this offending boundary would create a precedent - not alone for such incongruous boundary types, but also for the notion that conditions attached to planning permissions were not necessary - were at the whim of the Planning Authority, and could be disregarded, and if they create a problem for the owner/applicant could be "got rid of" by the passing of a Section 4 motion. Additionally Mr. Jennings, the applicant chose also to ignore condition no. 2 of the same grant of planning

permission viz. "The external wall shall have a smooth plaster or roughcast painted finish and no brick shall be used".

REASON: In the interests of visual amenity."

- insofar as horizontal cut limestone bands have been inserted therein. He has not incidentally thought fit to include this disregard of another condition in this application for retention. Again he was well aware that what he did was not in compliance with condition because in the letter referred to above to Planning Authority, 2 months after grant of planning permission he also asked if in relation to condition no. 2 he could (face the lower part of the house with a cut natural stone preferably out limestone etc. and was informed by Planning Authority in April, 1989 that condition no. 2 specifies that the external walls should have a smooth plaster or roughcast finish and that his proposal would not be in compliance with condition 2. In the case of both issues Mr. Jennings was free to appeal both conditions and he did not.

RECOMMENDATION:

1. The development would be seriously injurious to the visual amenities of this area of Outstanding Scenic Amenity because the development in question is seriously out of character with traditional local development.
2. The development in question is contrary to the requirements of the County Development Plan which states that "unrendered concrete blockwork, concrete balustrading, etc. be avoided as a roadside frontage" (Appendix 9).
3. The development is unauthorised and fails to comply with Condition No. 4 of grant of Planning Permission Reference number 55157.
4. The development, if permitted, would create a precedent for other like undesirable development.
5. The development is seriously injurious to the visual amenities of, and detrimental to the visual qualities of, the approach to Clonbur village along a tourist route."

The County Engineer said that it was unfortunate that this application had to be the subject of a Section 4 Resolution, but the development was located in an area of Outstanding Scenic Amenity, and because of the sensitivity involved, he recommended refusal.

Deputy Connaughton said that to remove the existing fence and replace it was a big penalty to pay. Councillor Loughnane asked if the structure could be suitably coloured but the County Engineer explained that it was more unnatural than a question of colour. Councillor McHugh said that he was reluctantly supporting the resolution. He said the fence would cost a lot of money to replace but the Members as the Planning Authority should not condone breaches of the Planning Act.

Thug an Comhairleoir O'Tuathail tacaiocht don run. He said that there were big cost implications in the use of local stone and that the Council, in building Council houses should lead by example. In reply to Deputy McCormack, the County Engineer said that Clonbur was located in a beautiful area and the Planning Authority was trying to keep it as near as possible to its natural state. He said that Clonbur had many lovely features and much could be done for it. Whereas the vast majority of people were prepared to co-operate, this particular fence was certainly out of place. Councillor O'Neachtain said that it was often difficult to get a tradesman to dress local stone. A vote taken for or against the resolution set out on the Agenda resulted as follows:

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

(23)

AGAINST: Councillor J. Brennan. (1)

Councillor E. Varley abstained from voting.

The Chairman declared the resolution set out on the Agenda carried.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY
MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING
APPLICATION NUMBER 66899 - APPLICANT: MR. DERMOT
MORAN:

1156

The resolution set out on the Agenda was proposed by Councillor McDonagh and seconded by Councillor McHugh. The County Engineer read the following report which had been circulated to each Member of the Council:

"PLANNING CONSIDERATIONS:

The site is just over a mile outside the City boundary at Twomileditch along a road which already has extensive ribbonised housing development and where the on-going pressure to extend this development has continued in recent times. There are 13 no. existing houses to the north of this site and outline permission exists for a house on the site immediately adjoining it to the north. These houses have accumulated in a period of more than 20 years and have in effect suburbanised this rural area. Most of them were built prior to 1985 when the Planning Authority set out to avoid such ribbonisation but a small number were granted as reasonable infill between existing houses. The indications are that further development will be sought southwards to the junction with the National Primary Road, a junction which is on a long continuous horizontal curve and on the summit of a vertical curve, and which should not be subjected to further increased traffic movements resulting from such development.

Chapter 7.2.6 and 7.2.8 of the County Development Plan specifically restricts such ribbonised development in this Galway City Environs Area. It states that "applications for such groups of buildings whether wholly or singly in a piecemeal manner, or singly by addition to two existing or permitted contiguous buildings, will not be permitted.

The applicant lives approximately 1/4 mile away on this road with his parents and family in a house which was built approximately 20 years ago. There is no land holding attached and applicant works in the city and wished to live on this site near the remainder of his family.

The site frontage is 85 ft. which is less than the 100 ft. required by the County Development Plan. Tests carried out by the applicant's Consulting Engineer indicated that the subsoil was adequate to treat septic tank effluent in accordance with S.R.6 1991.

RECOMMENDATION:

The proposed development in conjunction with existing and permitted development on adjacent sites would constitute ribbon development in this rural environs of Galway City and contravene Chapter 7.2.6 and 7.2.8 of the County Development Plan which specifically prohibits such development in this area."

The County Engineer said that the A.A.D.T. at the City boundary was 19,000 vehicles per day, 10% being heavy goods vehicles while at Claregalway, the figure was 8,000 vehicles. Therefore, the A.A.D.T. on the main route near the site was somewhere between these two figures. He said that the Council hoped to commence a major land use study which would include this area and which could recommend a dual carriageway from the City to Claregalway.

Councillor McDonagh said that the applicant had lived in the area with his parents for the last 20 years. They were not farmers but if they did have a farm of land, Permission would be given. He said that the applicant wanted to live near his parents and having secured a site at a reasonable price was in a position to build a house. He said the applicant could not afford to acquire a house in the City. He said that there was no difficulty with a septic tank and that the Development Plan should show some flexibility in cases like this. He said that no other member of the family would be applying for planning permission in the area.

A vote taken for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillors T. Byrne, J. Callanan, Deputies P. Connaughton, E. O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, M. Loughnane, J. Mannion, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, M. Mullins, S. O'Neachtain, P. O'Tuathail, K. Quinn, M. Ryan, and T. Walsh.

(20)

AGAINST: None.

Councillors J. Brennan, W. Burke and E. Varley abstained from voting.

The Chairman declared the resolution lost as the number voting in favour was less than 22.

ROADS:

1157

The Chairman and Councillor Callanan referred to the number of serious accidents on the Kilrickle to Aughrim road. They asked that pending road improvements, appropriate warning signs be erected to warn motorists of the danger. The Chairman proposed that a resolution be sent to the Department of the Environment asking that resources be made available for realignment of this road. This was seconded by Councillor Callanan and agreed.

Councillor Ryan referred to an accident which had taken place at Newtown Bridge, Abbeyknockmoy. He

asked that the location be investigated.

TEABREAK AT COUNCIL MEETINGS:

1158

Councillor Gavin proposed that the Council adjourn meetings for 10 minutes for the teabreak as it is difficult to do Council business properly during this time. This was seconded by Councillor Quinn. Councillor McHugh objected, saying that when the representative from Guaranteed Irish Limited travelled to Galway to address the Council, he was only given 10 minutes to make his address. The Chairman said that the 10 minute teabreak was agreed.

MINUTES:

1159

On the proposition of Councillor Loughnane, seconded by Deputy Connaughton, the Minutes of Special Meeting of the Council held on 13th November, 1992, were approved and signed by the Chairman.

On the proposition of an Comhairleoir Ni Fhatharta, seconded by Councillor Ryan, the Minutes of Estimates Meeting held on 16th November, 1992, were approved and signed by the Chairman. Arising from the Minutes, An Comhairleoir Ni fhatharta referred to the changeover to private refuse collection in West Galway. She said that she had asked that special consideration be given to areas which do not have a refuse collection service at present. She said that people were looking for the service and there was now an opportunity to extend the service. Mr. Gavin, Assistant County Manager, said that the main purpose of the advertisement in the paper was to advise existing users of the alternative arrangements. He said that where there was a demand for an extension of the service and people were prepared to pay, he was confident that the service could be extended. He advised that contact be made with either of the two private operators.

On the proposition of Councillor Fahy, seconded by Councillor Ryan, the Minutes of Monthly Meeting held on 23rd November, 1992, were approved and signed by the Chairman. Arising from the Minutes, Councillor Fahy referred to the road improvements at Ardahan. He said that the Council required a further £75,000 to complete the job, and if this was forthcoming, the Council could keep the men on after Christmas to finish the work. He proposed that the Department of the Environment be asked to make the necessary funds available. Councillor Fahy also referred to the work being carried out by Telecom Eireann on the Ardahan to Cregaclare road. He said that a number of accidents had occurred there, and proposed that when the road is being re-instated, hard shoulders be provided.

On the proposition of Councillor Loughnane, seconded by Councillor Fahy, the Minutes of adjourned Estimates Meeting held on 30th November, 1992, were approved and signed by the Chairman. Arising from the Minutes, Councillor Loughnane referred to his request for a meeting of the Members from the Loughrea Electoral Area regarding the proposed By-Pass. Councillor McClearn also referred to the need for a meeting of the Loughrea Members to discuss the Tourism Plan, it was agreed that a date for a meeting would be proposed at the January Planning Meeting.

On the proposition of Councillor Ryan, seconded by Deputy Connaughton, the Minutes of Adjourned Estimates Meeting held on 4th December, 1992, were approved and signed by the Chairman.

On the proposition of Councillor Fahy, seconded by Councillor Ryan, the Minutes of Arts Committee Meeting held on 10th November, 1992, were approved and signed by the Chairman.

SALE OF HOUSE TO JAMES AND ELIZABETH DEVANE, ARDMORE, KILKERRIN, CARNA: 1160

On the proposition of An Comhairleoir O'Tuahtail, seconded by An Comhairleoir Ni Fhatharta, it was resolved:

"That Galway County Council hereby approve of the sale of a house to James and Elizabeth Devane, Ardmore, Kilkerrin, Carna, Co. Galway, in accordance with the terms of notice dated 9th December, 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 BRIAN AND MARY GARVEY, CALTRADUFF, BALLYFORAN, BALLINASLOE, CO. GALWAY: 1161

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

"That Galway County Council hereby approve of the sale of a house to Brian and Mary Garvey, Caltraduff, Ballyforan, Ballinasloe, Co. Galway, in accordance with the terms of notice dated 10th December, 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 SITE TO PATRICK J. SMYTH, VILLA MARIA, RAHEEN, ATHENRY: 1162

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

"That Galway County Council hereby approve of the sale of a site to Mr. Patrick J. Smyth, Villa Maria, Raheen, Athenry, Co. Galway, in accordance with the terms of notice dated 9th December, 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."

SALE OF PLOT OF GROUND TO THOMAS GAFFEY, BOLAG, WOODFORD: 1163

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

"That Galway County Council hereby approve of the sale of a plot of ground Mr. Thomas Gaffey, Bolag, Woodford, Co. Galway, in accordance with the terms of notice dated 26th November, 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."

DECLARATION OF ROADS TO BE PUBLIC ROADS: 1164

On the proposition of Councillor Callanan, seconded by Councillor Regan, it was resolved that the following roads be declared public roads, the necessary statutory procedures having been complied with:

Area	Description	Length
Tuam	Commencing at Junction with C.R. 137 in the townland of Tonagarraun and running northwards for a distance of 240 metres.	250m
Mountbellew	The road which runs eastwards from its intersection with County Road 428 in the Townland of Clonkeenkerrill to the townland of Colemanstown for a distance of 678 metres."	

PROPOSED HALTING SITE AT KININCHA, GORT: 1165

Report of Assistant County Manager dated 15th December, 1992, was submitted and noted. Councillor Fahy asked that arrangements be made for the Members from the Loughrea Electoral Area to meet Mr. Gavin and this was agreed.

HOUSING (MISCELLANEOUS PROVISIONS) ACT, 1992:

1166

Report of Mr. Gavin, Assistant County Manager dated 21st October, 1992, giving a summary of the Housing (Miscellaneous Provisions) Act, 1992, which had been circulated, was noted. Mr. Gavin referred to Section 6 of the 1992 Act dealing with the granting of assistance by housing authorities to certain Bodies. The determination of the terms and conditions under which assistance is given under this section is a reserved function. Details of the terms and conditions recommended for adoption were circulated in the form of a resolution and Mr. Gavin requested the Council's approval thereto.

Councillor Loughnane enquired about the need for Departmental approval in the case of repairs in lieu. Mr. Gavin explained that Departmental approval was only required where the cost exceeded £10,000. To be eligible, applicants must have been included in the most recent assessment of housing needs or have been accepted by the Housing Authority for inclusion in the next assessment.

On the proposition of Councillor Callanan, seconded by Councillor Loughnane, it was agreed that a request be sent to the Minister for the Environment that increased Capital Funds be provided for housing in 1993. Councillor O'Tuathail asked that up-to-date figures of the number of men, women and children in need of housing in the County be obtained. Councillor Brennan referred to a case where an Essential Repairs Grant was approved but the applicant, because of financial circumstances, could not proceed.

Deputy O'Cuiv proposed that the Minister for the Environment be requested to increase the ceiling of £10,000 to £14,000 in respect of the grant for repairs in lieu. This was seconded by Councillor Regan and agreed.

Councillor Varley proposed that the Council consider building more rural houses in the future and this was seconded by Councillor Loughnane.

On the proposition of Councillor Loughnane, seconded by Councillor Callanan, the following resolution was adopted setting out the terms and conditions for the giving of assistance under Section 6 of the Housing (Miscellaneous Provisions) Act, 1992, in respect of the provision of housing accommodation by certain Bodies:

"Assistance given by Galway County Council under Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 in respect of the provision of accommodation by a body standing approved of under that section

shall be by way of a loan and shall be given on the following terms and conditions:

- (a) The proposal shall comply with the provisions of the Housing (Accommodation Provided by Approved Bodies) Regulations, 1992, and the terms of Circular HGS 6/92, issued by the Department of the Environment, in relation to the payment of grants by the Minister for the Environment under Section 15 of the Housing Act, 1988.
- (b) The amount of the loan shall not exceed the amount of the grant payable in respect of it by the Minister under Section 15 of the Housing Act, 1988.
- (c) Approval to the grant under Section 15 of the Housing Act, 1988, shall be obtained from the Department of the Environment before the loan is sanctioned."

CONFERENCES:

1167

On the proposition of Councillor Ryan, seconded by Councillor McClearn, the Council approved of the attendance of Councillor O'Neill at the "Let Tourism work for you" Conference in Ennis on the 10th and 11th December, 1992, instead of Councillor Ryan.

On the proposition of Councillor Ryan, seconded by Councillor McClearn, the Council approved of the attendance of Councillor McDonagh at the Sheep Dipping Committee of the Connacht Counties and Donegal held at the Hudson Bay Hotel, Athlone, on the 17th December, 1992, instead of Councillor Ryan.

BUSINESS SUBMITTED BY THE CHAIRMAN:

1168

Councillor O'Neachtain asked the County Engineer to have improvements carried out to the footpaths in the vicinity of Spiddal which he said were in a treacherous condition. The Chairman asked that the E.S.B. be requested to put the E.S.B. powerlines underground along the road to Spiddal.

COUNCILLORS NOTICES OF MOTION:

N.O.M. NO. 13: WALL - CLR. S. O'NEACHTAIN:

1169

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

"Temporary fences at above location will be repaired as soon as possible as agreed with land owner."

N.O.M. NO. 14: FLOODING - CLR. S. O'NEACHTAIN: 1170

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

"It is hoped to have works carried out at the above location early in the new year."

N.O.M. NO. 15: ROAD - CLR. M. CUNNINGHAM: 1171

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

"It is hoped to have the works carried out at the above location in 1993."

N.O.M. NO. 16: ROAD - CLR. M. CUNNINGHAM: 1172

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

"There are no funds available for the surface dressing of above road. However, routine maintenance will be carried out in order of priority and as resources permit."

N.O.M. NO. 17: ROAD - CLR. M. CUNNINGHAM: 1173

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

"There are no funds available for the surface dressing of above road. However, routine maintenance will be carried out in order of priority and as resources permit."

Councillor Cunningham the County Engineer to re-examine this road with a view to having it surface dressed.

N.O.M. NO. 18: POTHOLES - CLR. W. BURKE: 1174

The following written reply was given to Clr. W. Burke

"Routine maintenance will be carried out at the above location as resources permit."

N.O.M. NO. 19: FLOODING - CLR. W. BURKE: 1175

The following written reply was given to Clr. W. Burke:

"Provision has been made in the 1993 Estimates for the carrying out of works at the above location."

N.O.M. NO. 20: LIGHTING - CLR. J. McDONAGH: 1176

The following written reply was given to Clr. J.

McDonagh:

"The above location is not included in the 1993 application submitted to the Department of the Environment as other areas had a higher priority."

N.O.M. NO. 21: FLOODING - CLR. J. McDONAGH: 1177

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

"The estimated cost of carrying out works at above location is £7,000. There are no funds available to carry out this work."

N.O.M. NO. 22: ROAD - CLR. J. McDONAGH: 1178

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

"Works are currently in progress at the above location as a result of N.O.M. money allocated by Clr. P. McHugh and Deputy P. McCormack."

N.O.M. NO. 23: ROAD - CLR. P. O'SULLIVAN: 1179

The following written reply was given to Clr. P. O'Sullivan:

"This matter is being investigated at present and a further reply will issue in due course."

N.O.M. NO. 24: YIELD SIGN - CLR. E. VARLEY: 1180

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

"An application will be submitted to the Garda Síochána requesting approval to the re-location of the above "Yield Sign"

N.O.M. NO. 25: FLOODING - CLR. E. VARLEY: 1181

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

"Works were recently carried out at the above location."

N.O.M. NO. 26: TRAFFIC - CLR. E. VARLEY: 1182

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

- (1) The prevention of vehicular traffic from Main Street is not recommended.
- (2) The above road is a public road.

1081

carriageway will not be undertaken. There is no objection to the clearance of the area fronting the new boundary wall as this should help sight distance."

N.O.M. NO. 41: FLOODING - CLR. M. FAHY: 1196

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

"This matter is being investigated and it is hoped to have a reply available for the next meeting."

N.O.M. NO. 42: ROADS - CLR. M. FAHY: 1197

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

"It was not possible to include the roads at above location in the 1993 Draft Road Works Programme due to lack of funds."

N.O.M. NO. 43: ROAD - CLR M. FAHY: 1198

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

"Road restoration works will be carried out by the Council at above location and the cost of same will be recouped from Telecom in due course."

Councillor Fahy asked that hardshoulders be provided along this road when it is being re-insstated.

STRUCTURAL FUNDS REVIEW COMMITTEE WEST SUB-REGION: 1199

The report on the submission to the Minister for Finance by the Structural Funds Review Committee for the West Sub-Region was circulated to each Member prior to the Meeting. Deputy O'Cuiv asked that the matter be put on the Agenda for a meeting in the New Year and this was agreed.

GOOD WISHES: 1200

Councillor Gavin informed the Meeting that Councillor Brennan was retiring from his post as Headmaster of the Vocational School, Ballinasloe, after 39 years service and he wished him every happiness in his retirement. All the Members and the County Manager expressed good wishes to Councillor Brennan.

Councillor Gavin also proposed that the Council send its good wishes for Christmas to Bishop Casey. This was agreed.

The Chairman then wished all the Members, County Manager, and Staff a very Happy Christmas and every prosperity in the New Year.

1201

SYMPATHY:

Resolutions of sympathy were adopted with the following:

- Mr. & Mrs. Paddy Gardiner, Cappard, Peterswell.
- Mrs. Catherine Leonard, Tooreeny, Moycullen.
- Ms. Pauline Tracey, 71 Hymany Park, Ballinasloe.
- Mrs. Margaret Judge & Family, Caherlistrane.

THE MEETING THEN ENDED

SUBMITTED, APPROVED + CONFIRMED:

Michael O'Connell CHAIRMAN

 25/1/93 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arús an Chontae,
GAILLIMH.
14u la Nollag, 1992

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniu de Chomhairle Chontae na Gaillimhe, a thionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain, an 2lu la Nollag, 1992, ar a 3.30 a chlog sa trathnona.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI.

A G E N D A

Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant retention of roadside boundary fence and entrance as constructed in the townland of Kilbeg Lower - Planning Reference number 67191 - in the name of Martin Jennings.

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

2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Dermot Moran, for dwelling house and septic tank at Cloonacauneen. - Planning Ref. No. 66899."

Jarlath McDonagh. Paddy McHugh. Sean O'Neachtain.
Padraic McCormack.

OTHER BUSINESS:

3. Consideration of the Minutes of the following Meetings:
 - (a) Minutes of Special Meeting held on 13th November, 1992.
 - (b) Minutes of Estimates Meeting held on 16th November, 1992.

- (c) Minutes of Monthly Meeting held on 23rd November, 1992.
- (d) Minutes of Adjourned Estimates Meeting held on 30th November, 1992.
- (e) Minutes of Adjourned Estimates Meeting held on 4th December, 1992.
- (f) Minutes of Arts Committee Meeting held on the 10th November, 1992.

4. Sale of house to James & Elizabeth Devane, Ardmore, Kilkerrin, Carna. - Section 83 notice dated 9th December, 1992, already circulated.
5. Sale of house to Brian & Mary Garvey, Caltraduff, Ballyforan, Ballinasloe. - Section 83 notice dated 10th December, 1992, already circulated.
6. Sale of site to Patrick J. Smyth, Villa Maria, Raheen, Athenry. - Section 83 notice dated 9th December, 1992, already circulated.
7. Sale of site to Thomas Gaffey, Bolag, Woodford. - Section 83 notice dated 26th November, 1992, already circulated.
8. Declaration of roads to be public roads. - Details attached.
9. To note proposed Halting Site at Kinnincha, Gort.
10. Housing (Miscellaneous Provisions) Act, 1992.
11. Business submitted by the County Manager.
12. Business submitted by the Chairman.

COUNCILLORS NOTICES OF MOTION:

Adjourned from previous Meeting:

COUNCILLOR S. O'NEACHTAIN: - I will propose:

13. That the wall at the following location be put back as it was prior to roadworks being carried out. (Details supplied.)
14. That the County Council take action to eliminate flooding at the following location.

OTHER MOTIONS RECEIVED:

COUNCILLOR MICHAEL CUNNINGHAM: - I will propose:

15. That the Council widen a dangerous turn at the Old House of Michael Connors and also that they raise the road at the same area which is subject to flooding.
16. That Galway County Council resurface the above mentioned division of road, as it is in a very bad condition and I would ask that it would be treated as urgent.
17. That Galway County Council tar and refurface the above mentioned road. I have made previous requests for this work to be carried out, but to no avail.

COUNCILLOR WILLIE BURKE: - I will propose:

18. That repairs be carried out on the potholes at Caheroyan Park Estate, Athenry.
19. That the necessary works be carried out to remove the flooding problem at Dispensary, New Line, Athenry.

COUNCILLOR JARLATH McDONAGH: - I will propose:

20. That Galway County Council make application to the Department of the Environment for lighting scheme and have village included in 1993 traffic route lighting programme (details supplied).
21. That Galway County Council implement plan to eliminate serious flooding problem at Gortacleva, Claregalway. (Details supplied).
22. That Galway County Council carry out examination with a view to improving road at Corrandulla. (Details supplied).

COUNCILLOR PAT O'SULLIVAN: - I will propose:

23. That monies be made available to carry out very necessary road widening on the Shannonbridge Road, Ballinasloe, (details enclosed) and that a date and plan for this work be made available as soon as possible.

COUNCILLOR EVELYN VARLEY: - I will propose:

24. That Galway County Council have the "Yield Sign" changed at this junction. (Details enclosed).
25. That Galway County Council carry out works to prevent flooding occurring. (Details enclosed).
26. Residents of the New Estate, Headford, have requested that vehicular traffic be prevented from entering the Estate from Main Street, Headford. They require confirmation that Galway County Council, if this road is a public road. They have also requested that "ramps" be provided at the entrance to the Estate on the Cong Road, as it is very dangerous for children and elderly people.

COUNCILLOR JOE BRENNAN: - I will propose:

27. That this Council calls on the new Government to allow the Irish people their Constitutional right to vote in a Referendum on a choice between no abortion and a defined proposed abortion, with legislation to follow.

DEPUTY E. O'CUIV: - I will propose:

28. Galway County Council to carry out urgent repairs to the following road in the Recess Area:
Road to house of Thomas Joyce in Lehenagh North, Recess.
29. Galway County Council to carry out urgent repairs to the following road in the Recess Area:
The Derrada Road in Recess.
30. For urgent repairs to the Bunowen Road near Leenane, Co. Galway.

COUNCILLOR C. NI FHATHARTA: - I will propose:

31. That Comhairle Chontae na Gaillimhe erect a protection barrier on the bend near Maimin, Leitir Moir, where at present there is no protection from a twenty foot drop. There is no wall or warning sign of this dangerous bend and there has been a number of accidents in this area recently. Local people are extremely worried about this dangerous drop situated on this bad bend.
32. That Comhairle Chontae na Gaillimhe repair the road leading to an at Doilin Beach, An Cheathrua Rua. This is an extremely popular beach and the road and carpark are in a terrible condition.
33. That Comhairle Chontae na Gaillimhe provide public lighting between the Church and hall at An Tulach, Baile na h-Abhann. The hall and Church are situated beside an extremely busy Regional Road thus making it difficult for those people walking there after dark.

5
COUNCILLOR MATT LOUGHNANE: - I will propose:

34. That the Council remove the car wrecks at Corbally, Gurtymadden, Loughrea.

COUNCILLOR SEAN O'NEACHTAIN: - I will propose:

35. That Galway County Council repair and maintain road at Leac 'a Ruis, Ballywillian, Spiddal.

36. That Galway County Council relieve flooding outside Donal Sweeney's house at Collinamuck.

37. That Galway County Council clear weeds from roadside on main Galway/Inverin Road at Kilroe.

COUNCILLOR PADDY MCHUGH: - I will propose:

38. That Galway County Council carry out improvements to allow traffic movements without current difficulty due to narrow road and include same in 1993 Roadworks Programme. (Details supplied).

39. That Galway County Council carry out immediate maintenance and repairs to Council house. (Details supplied).

40. That Galway County Council furnish me with the results of an examination which they undertook to make in December 1991. (Details supplied).

COUNCILLOR MICHAEL FAHY: - I will propose:

41. That Galway County Council put a door on slush at Bridge, Traught, Kinvara - which was damaged recently. There is urgent need for these repairs to prevent flooding in this area.

42. That Galway County Council include County Roads for surface dressing in 1993 Programme. (Details supplied).

43. That Galway County Council demand Telecom Eireann compensate County Council for dangerous County Road from Ardrahan to Cregclare, Fourcrossroads, where lines were recently laid, whereby I request hardshoulder be constructed on this road.

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Declaration of a Road
to be a Public Road

NOTICE is hereby given that it is the intention of Galway County Council to consider at the meeting to be held in the Council Chamber, County Buildings, Prospect Hill, Galway at 3.30 p.m. on the 11th December, 1992, the making of a declaration that the following road will be a public road.

Area	Description	Length
Tuam	Commencing at Junction with C.R. 137 in townland of Tonagarraun and running northwards for a distance of 250 metres	250m

T. Kavanagh, County Secretary

COMHAIRLE CHONTAE NA GAILLIMHE
(GALWAY COUNTY COUNCIL)

Declaration of a Road
to be a Public Road

NOTICE is hereby given that it is the intention of Galway County Council at a meeting to be held not earlier than 14th December, 1992, to consider the making of a declaration that the following road shall be a public road—

Engineering Area	Description
Mountbellew	The road which runs eastwards from its intersection with County Road 428 in the townland of Clonkeenkerill to the townland of Colemanstown for a distance of 678 metres.

T. Kavanagh, County Secretary

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL
HELD AT THE COUNTY BUILDINGS, GALWAY, ON WEDNESDAY,
9TH DECEMBER, 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 E. O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, Senator T. Hussey, Councillors M. Loughnane, J. Mannion, J. McClearn, 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; L. Kavanagh, Senior Executive Engineer; E. Lusby, Finance Officer; T. Coughlan, J. McGovern, Administrative Officers; T. Murphy, Senior Staff Officer; and T. Kavanagh, County Secretary.

The Opening Prayer was recited.

MIN. NO.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY
MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING
APPLICATION NUMBER 67191 - APPLICANT: MARTIN JENNINGS.

1147

Councillor Loughnane proposed that this resolution be deferred to the next Meeting.

This was seconded by Councillor Callanan and agreed.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY
MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING
APPLICATION NUMBER 66899 - APPLICANT: DERMOT MORAN.

1148

Councillor McDonagh proposed that this resolution be deferred to the next Meeting. This was seconded by Councillor Regan and agreed.

NOTICE OF MOTION:

1149

"That Galway County Council review the County Development Plan starting at the February '93 Planning Meeting."

Matt Loughnane. Joe Callanan. Paddy McHugh.

Councillor Loughnane said that when this was brought before the Council previously, he was told that the Town Plans had to be completed and that the County Plan Review would start in 1992. He said that there were many good reasons why the Plan should be reviewed at this stage. He said that the Council's policy on employment should be set out in a policy statement in the Plan and where jobs might be created as there was not sufficient emphasis on this matter up to now. He also said that small towns and villages were finding it hard to survive and that there should be a positive policy for developing towns and villages. He gave Tynagh as an example and said it was impossible to get Planning Permission there. He also said there were other matters which needed to be examined such as the second family dwelling category and said that there seemed to be discrimination in favour of emigrants returning from abroad, but no consideration for anybody returning from Dublin, for example. He said that the question of ribbonisation would also have to be re-examined.

The County Manager said that the present County Development Plan expired in June 1995 and it was intended to commence the review in January 1994. He said that the Council had prepared a Tourism Plan for the South East Galway area which was welcomed by the Members, and it was agreed that a Tourism Plan should be prepared for West Galway. He said the intention was to start the Tourism Plan in January 1993 and the County Development Plan in January 1994, and incorporate the Tourism Plan in it. He recommended that that procedure be followed.

Councillor Loughnane said that he accepted this time scale. As regards tourist development, he asked that the Deputy County Engineer examine Dooros Bay on Lough Derg as an area where boating facilities might be provided. Deputy O'Cuiv said that he was not happy that the existing development plan would continue for a further two and a half years. He said that there were many sections of the Plan inoperable and too many blanket restrictions in Connemara and along certain roads. He suggested that the Development Plan Review start in 1993.

Councillor O'Neachtain said that the present Council had no input into the present County Development Plan and he would like to see it reviewed as soon as possible. He said there was a problem in the

Connemara Area and it was almost impossible to get Planning Permission. He said the Plan should take into account the desire of people to live in their own area. Councillor O'Tuathail said that the biggest problem in Connemara was the difficulty in meeting the septic tank standards. He suggested that there should be a full discussion on the matter to decide whether or not a total review was needed at this stage. Councillor McClearn said that there were some anomalies in the Plan and these should be looked at. He said he was unaphy as regards the amount of afforestation which can be carried out without Planning Permission. After further discussion, it was agreed that the matter be put on the Agenda for the January or February Meeting. Councillor Loughnane asked that the Loughrea Town Plan be expedited and said that the Department of the Environment was placing an unfair restriction in regard to the number of junctions for the proposed by-pass.

ENTERPRISE PARTNERSHIP BOARDS:

1150

The County Manager said that this had been discussed previously and no further developments had occurred since. The membership of the Board, etc., was set out in the documentation which had been circulated. Senator Hussey said that there was no point in discussing this item pending the formation of a new Government. The Chairman said that the matter would be deferred for the present.

HOUSING (MISCELLANEOUS PROVISIONS) ACT, 1992:

1151

In the absence of Mr. Gavin, Assistant County Manager, this matter was deferred.

WELCOME:

1152

The Chairman and Members welcomed Mr. Jim McGovern who had taken up duty as Administrative Officer with the Council. He worked previously with Galway Corporation.

SYMPATHY:

1153

A resolution of sympathy was adopted with Mrs. O'Malley, Main Street, Loughrea, Co. Galway.

THE MEETING THEN ENDED

SUBMITTED, APPROVED & CONFIRMED:

Michael Mall

CHAIRMAN

25/1/93

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

3u la Nollag, 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 Ceadaoin, an 9u la Nollag, 1992, ag tosnu ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI.

A G E N D A

Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant retention of roadside boundary fence and entrance as constructed in the Townland of Kilbeg Lower - Planning Reference number 67191 - in the name of Martin Jennings.

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

2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Outline Permission to Dermot Moran, Cloonacauneen, Claregalway. - Planning Ref. No. 66899."

Jarlath McDonagh. Paddy McHugh. Sean O'Neachtain.
Padraic McCormack.

OTHER BUSINESS:

3. Planning applications - Advance Notice to be given to County Secretary.

4. NOTICE OF MOTION:

CLRS. MATT LOUGHNANE, J. CALLANAN, AND P. MCHUGH:

- I will propose:

That the Council review the County Development Plan starting at the February 1993 Planning Meeting.

5. Enterprise Partnership Boards.

6. Housing (Miscellaneous Provisions) Act, 1992.

AT 4.30 P.M. CIVIC RECEPTION FOR MRS. MARY ROBINSON,

UACHTARÁN NA hÉIREANN.

MINUTES OF PROCEEDINGS AT ADJOURNED ESTIMATES MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 4TH DECEMBER, 1992.

IN THE CHAIR: Councillor M. Mullins.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Burke, W. Burke, T. Byrne, J. Callanan, Deputy P. Connaughton, Deputy E. O'Cuiv, Councillors M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, Senator T. Hussey, Councillors M. Loughnane, J. Mannion, J. McClearn, Deputy Padraic 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, and E. Varley.

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

The Opening Prayer was recited.

MIN. NO.

BOMBS IN MANCHESTER:

1135

Deputy McCormack condemned those responsible for the bombs which went off in Manchester during the week. Councillor Varley, Senator Hussey and all the Members joined unanimously in the condemnation.

GUARANTEED IRISH PROMOTION:

1136

The Chairman welcomed Mr. John McCarthy from Guaranteed Irish Limited who had come to address the Members. Mr. McCarthy spoke to the Members for about ten minutes. He said that the Company was originally funded by the State but it was a private Company since 1984 in order to comply with EC Regulations. It was now dependant on subscriptions from Companies and its expenditure was about £70,000 per annum. There were only two members of staff and eleven voluntary Directors. He said the objective of the Company was to get people to think about how they spend their

money. He said that on average nine out of ten people wore imported shoes and seven out of ten imported clothing. Every day, £1 M is spent on imported clothing, and £3 M on imported groceries per day. £95 M per annum was spent on imported furniture. Studies had shown that Irish goods were just as cheap as imported goods. Mr. McCarthy emphasised the number of jobs that could be maintained and created by a greater awareness of buying Irish goods.

Councillor McHugh proposed that the Council encourage and support the buying of Irish goods in the interest of maintaining existing jobs and creating new ones. All the Members supported this proposal. The Chairman thanked Mr. McCarthy for his address.

TELECOM EIREANN WORKS:

1137

Councillor Fahy said that Telecom Eireann were laying a cable along the road from Ardrahan to Cregaclare Cross and that the road was left in an appalling state. He asked that the Council contact Telecom Eireann as quickly as possible.

GAELTACHT ROAD GRANTS:

1138

Councillor Gavin said that while he welcomed the notification of the Road Grants from Roinn na Gaeltachta, the notification had come very late in the year. He said that the roads were selected without any consultation with the Road Engineers and he also questioned the spread of the grants and said that some areas never seem to be considered. Councillor O'Neachtain said that the roads selected were in bad need of repair. Deputy McCormack proposed that the Department of the Environment and Roinn na Gaeltachta be requested to notify the Council of Road Grants early in the year. He said that Roinn na Gaeltachta should consult with the County Council so that all areas in the Gaeltacht would get fair consideration. Councillor O'Tuathail said that when the Gaeltacht road jobs are being done, small pieces of road are often left undone, and he recommended that in the interests of efficiency, that the Council should complete the job while the workforce and machinery are on the spot.

ESTIMATE OF EXPENSES FOR YEAR ENDING 31ST DECEMBER, 1993:

1139

The Chairman said that at the two previous Meetings, all Programmes in the Estimates were open for discussion. He said that Members were free to raise any matter and could make proposals for adopting or amending the Estimates.

Councillor Mannion said that it was obvious from the two previous meetings that the Members were not agreeable to the absence of provision for new public lighting. The County Manager said that because of the Members concern about the provision of additional public lighting, the £20,000 which had been set aside to replace existing obsolete lighting could be used for new public lighting instead. He said that the Council would enter into discussions with the E.S.B. about a programme of replacing existing public lighting with modern lighting and how it might be financed. In reply to Deputy Connaughton, the County Manager said that the Council could not undertake to maintain lights which might be provided by local communities as there was a limit as to what the Council could take responsibility for. Councillor O'Tuathail said that some areas were very badly in need of lighting such as areas where people get off buses.

Councillor Brennan suggested that the £4,000 limit on Essential Repair Grants be increased to £5,000. Mr. Gavin replied that if the grant was increased, the number of houses to benefit would be reduced and the scheme was working satisfactorily at present. Councillor Brennan proposed that the Department of the Environment be asked to make funds available for the maintenance of new water and sewerage schemes. This was seconded by Councillor Ryan and agreed.

Councillor W. Burke suggested that the question of appointing Sub-Contractors to carry out housing maintenance repairs in the 11 Engineering Areas be investigated. He felt that the work could be done more efficiently in this way. This was seconded by Councillor Quinn. Councillor McHugh suggested that an Audit be carried out to see what this work was costing. Senator Hussey agreed with this saying that most of his problems were in the Housing Maintenance area. He said that the proposed new Purchase Scheme might relieve the situation. He said it appeared to cost more to maintain the houses than what was coming in in rent. Mr. Gavin said this was not true in the case of Galway County Council. He said that the Council had 1,200 houses to maintain, and 400 demountables. He said that demountables require a lot of maintenance and during the last 12 months a lot of work had been carried out on demountables. He said he would be willing to look at other options for the carrying out of repairs but the problem would be to find alternative work for the Council workers.

After further discussion, Councillor Mannion proposed-

(a) That the proposed rate increase of 5% be reduced to 2.75% leaving a shortfall of

69,620

- (b) That the proposed water charges increase of 5% be reduced to 2.75% leaving a shortfall of 29,730
- (c) That the Chairman's allowance be increased by 3% - cost 300
- (d) That provision for Arts Grants be increased by 2,750
- (d) That the £20,000 for renewal of public lighting be used for additional public lighting and be increased by £5,000 - cost 5,000

TOTAL 107,400
=====

To be financed by -

- Increased provision for water account arrears. 25,000
- Increase in other receipts - Programme 8 by £20,000. 20,000
- Capital transfer from development contributions to finance water improvements. 20,000
- Increasing the estimated credit balance at 31/12/1992 by £42,400. 42,400

TOTAL 107,400
=====

This proposal was seconded by Councillor Byrne.

Senator Hussey proposed an amendment, that the adoption of the Estimates be deferred until a new Government is formed on the basis that one party that will likely be in Government advocated the abolition of service charges. He said that another reason for deferring the adoption of the Estimates was because the Council was not getting its fair share of Government Grant having regard to the Fiscal Studies Report. Senator Hussey's proposal was seconded by Councillor McHugh.

Councillor Mannion said that the Minister had given the Council an opportunity to defer the date for adopting the Estimate but the Council had decided to go ahead. Deputy Connaughton said that if the Minister allocates additional funds, there would be no

difficulty in finding schemes for it. Councillor Joe Burke agreed that the matter of the Fiscal Studies Report should be pursued but said that as there was no Government in office, it would have to be done later. Deputy McCormack said that the Galway Corporation had sought a meeting with the Minister on the question of the abolition of service charges but the Minister had refused to meet them, and told them that the adoption of service charges was a matter for the local authority. Councillor Byrne said that the Council had little option but to adopt the Estimates taking into account the amendments which had been made, which he said was the best that the Council could do.

Councillor McHugh said that Senator Hussey's proposal was not to reject the Estimates but to defer their adoption for about 10 days. He said this was a reasonable request and at that stage, the programme for Government should be known. Councillor Cunningham said that he supported the deferring of the adoption of the Estimates. He said he could not support the increase in Rates and Water Charges which were hitting business people very hard. Councillor Finnegan said that this was a good time to get a decision in relation to the Fiscal Studies Report and he said he would like to see what would happen as regards service charges. Deputy O'Cuiv said that even if there was no change of Government, it was time to press for a solution out of the Fiscal Studies Report. He said that if enough local authorities refused to adopt Estimates, it could have the desired affect. He said that it was inequitable that there were no service charges in some local authority areas and that the rates burden was becoming intolerable. Deputy O'Cuiv was also critical of the housing repairs system. He said that the Department should clarify whether any Lottery Grants would be made available next year. Councillor W. Burke said that there was not sufficient time to tackle the implementation of the Fiscal Studies Report but that it should be pursued next year.

A vote taken on Senator Hussey's amendment to defer the adoption of the Estimates resulted as follows:

FOR: Councillor Callanan, Deputy O'Cuiv, Councillors M. Cunningham, M. Fahy, P. Finnegan, Senator Hussey, Councillors P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, K. Quinn, and M. Regan.

(12)

AGAINST: Councillors J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Councillors M. Finnerty, S. Gavin, J. Mannion, J. McClearn, Deputy P.

McCormack, Councillors J. McDonagh, M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley and T. Walsh.

(17)

The Chairman declared the amendment lost.

Councillor Mannion then proposed the following:

- (1) That the proposed rate for 1993 of £27.27 be reduced to £26.68 in the pound.
- (2) That the expenditure provision for Programme 8.9 be increased from £10,000 to £10,300.
- (3) That the expenditure provision for Programme 6.4 be increased by £2,750 in respect of Contribution to the Arts.
- (4) That the expenditure provision for Programme 2.1 be increased by £5,000 thereby allowing a sum of £25,000 for new public lights.
- (5) That income for Programme 3.1 be reduced by a net sum of £4,730 as a result of decrease from 5% to 2.75% in the proposed increased level of water charges and increase of £25,000 in the provision for collection of water arrears.
- (6) That income for Programme 3.8 be increased by £20,000 in respect of Capital Account transfer for Water Improvements.
- (7) That income for Programme 8.8 be increased by £20,000.
- (8) That the estimated credit balance of £60,000 in Table B1 be increased by £42,400 to £102,400.

and that the consequential amendments relating to the apportionment of Support Services among the 8 Programme Groups in Table A and Table B1 be approved.

Councillor Mannion's proposal was seconded by councillor Byrne and the vote taken resulted as follows:

FOR: Councillors J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Councillors M. Finnerty, S. Gavin, J. Mannion, J. McClearn, Deputy P. McCormack, Councillors J. McDonagh, M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley, and T. Walsh.

(17)

AGAINST: Councillor J. Callanan, Deputy 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, K. Quinn, and M. Regan.

(13)

The Chairman declared the motion carried.

ADOPTION OF ESTIMATE OF EXPENSES 1993:

1140

It was then proposed by Councillor Mannion, seconded by Councillor J. Burke and resolved:

"That Galway County Council hereby adopt, the Estimate of Expenses for the financial year ending 31st December, 1993, as amended, as set out in Tables A, B1, and D of the said Estimate of Expenses, as amended."

The Chairman then declared that the Estimate of Expenses for the financial year ending 31st December, 1993, as amended, had been adopted by the Council.

DETERMINATION OF THE RATES IN THE POUND TO BE LEVIED FOR THE SEVERAL PURPOSES SPECIFIED IN THE ESTIMATE FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 1993.

1141

It was proposed by Councillor J. Mannion, and seconded by Cllr. Joe Burke and resolved:-

"That Galway County Council hereby determine in accordance with the Estimate of Expenses for the financial year ending 31st December, 1993, as amended and adopted, the rates set out in Column 13 of Table B1, as amended, and Column 7 of Table D, to be the rates in the pound to be levied for the several purposes set out in Column 1 of Table B1, and in Table D, for the financial year ending on 31st December, 1993".

The Chairman declared Councillor Mannion's proposal carried, and declared that the Rates in the Pound to be levied for the several purposes specified in the Estimate, as amended, for the financial year ending 31st December, 1993, had been determined by the Council. The prescribed Certificate was then signed.

MAKING OF CHARGE FOR WATER SUPPLIED FOR DOMESTIC PURPOSES IN RESPECT OF THE PERIOD COMMENCING 1ST APRIL, 1993, UP TO AND INCLUDING THE 31ST MARCH, 1994.

1142

It was proposed by Councillor Mannion, and seconded by Councillor Joe Burke, and resolved:-

"That in accordance with Section 65A of the Public Health (Ireland) Act, 1878, as inserted by Section 7 of the Local Government (Sanitary Services) Act, 1962, as amended by Section 8 of the Local Government (Financial Provisions) (No. 2) Act, 1983, as applied by Article 4 of the County Management (Reserved Functions) Order, 1985, and having regard to the provisions of the scheme for waiving of charges in accordance with the Local Government (Financial Provisions) (No. 2) Act, 1983, the following charge be made for water supplied by Galway County Council for domestic purposes in respect of the period commencing 1st April, 1993, up to and including 31st March, 1994, such charge to be payable in two equal instalments, the first instalment payable on 1st April, 1993, and the second instalment payable on the 1st October, 1993.

AMOUNT OF CHARGE
£

Charge for Water supplied to any Domestic Premises where water is used for Domestic Purposes.	91
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The Chairman declared this proposal carried.

MAKING OF CHARGE FOR WATER SUPPLIED TO PRIVATE GROUP WATER SUPPLY SCHEMES FOR DOMESTIC PURPOSES IN RESPECT OF THE PERIOD COMMENCING 1ST APRIL, 1993, UP TO AND INCLUDING THE 31ST MARCH, 1994: 1143

It was proposed by Councillor Mannion, seconded by Councillor Joe Burke, and resolved:

"That in accordance with Section 65A of the Public Health (Ireland) Act, 1878, inserted by Section 7 of the Local Government (Sanitary Services) Act, 1962 as amended by Section 8 of the Local Government (Financial Provisions) (No. 2) Act, 1983, as applied by Article 4 of the County Management (Reserved Functions) Order, 1985, and having regard to the provisions of the scheme for waiving of charges in accordance with the Local Government (Financial Provisions) (No. 2) Act, 1983, the following charge be made on Private Group Water Supply Schemes for water supplied by Galway County Council to them for domestic purposes for each domestic premises in the said schemes in respect of the period commencing 1st April, 1993, up to an including 31st March, 1994, such charge to be payable in two equal instalments, the first instalment payable on the 1st April, 1993, and the second instalment payable on the 1st October, 1993.

AMOUNT OF CHARGE

Charge on Private Group Water Supply Scheme for each domestic premises in the Scheme where water is used for domestic purposes.	£
(a) Where the group water supply scheme is in existence for 10 years or less.	46
(b) Where the group water supply scheme is in existence for over 10 years.	74

The Chairman declared this proposal carried.

DEMAND ON BALLINASLOE URBAN DISTRICT COUNCIL: 1144

It was proposed by Councillor Finnerty, seconded by the Chairman, Councillor Mullins, and resolved:

"That the Statutory Demand on the Ballinasloe Urban District Council for year ending 31st December, 1993, be signed and sealed".

The Demand was then signed and sealed.

ESTIMATED EXPENDITURE AND INCOME OUTTURN FOR 1992: 1145

The Council noted and approved the estimated outturn figures for 1992 as set out in the Book of Estimates.

It was proposed by Councillor Mannion, seconded by Councillor Joe Burke, and resolved:-

"That the Council approve expenditure excesses, being the estimated outturn figures for 1992 in excess of the adopted 1992 Estimates, such excesses being funded by other expenditure reductions and income increases".

The Chairman declared the proposal carried.

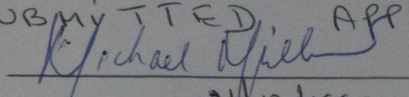
The chairman thanked the Members for their co-operation in the consideration and adoption of the Estimates.

SYMPATHY: 1146

Resolutions of sympathy were adopted with the following:

Mrs. Kitty Concannon, Killimor, Ballinasloe.
Muintir Ui Fhatharta, Maimin, Leitir Moir.

THE MEETING THEN ENDED

SUBMITTED, APPROVED + CONFIRMED:

 21/12/1992
 CHAIRMAN
 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

Post Office Box No. 27,
County Buildings,
Prospect Hill,
Galway.

MO THAG **TK/MMcM**

My Ref.

DO THAG

Your Ref.



BOSCA POIST UIMHIR 27,
ÁRAS AN CHONTAE,
CNOC NA RADHARC,
GAILLIMH.

Telephone:
(091) 63151
Ext.
Fax No. (091) 65817

30th November, 1992.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara:

The adjourned Estimates Meeting of Galway County Council will
be held in the County Buildings, Galway, on Friday, 4th
December, 1992, commencing at 3.00 p.m.

Mise, le meas,

T. KAVANAGH,
COUNTY SECRETARY.