

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

6u la Mean Fomhair, 1993.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniu speisialta de Chomhairle Chontae na Gaillimhe a thionolfar ins na Foirgnithe Chontae, Gaillimh, ar De h-Aoine, an 10u la Mean Fomhair, 1993, ag tosnu ar a 3.00 a chlog sa trathnona.

Mise, le meas,

T. O COCHLAN  
RUNAI SEALADACH

A G E N D A

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 outline permission for the erection of dwellinghouse and septic tank at Cregboy, - Applicant - Dermot Forde - (Planning Ref. No. 68372.

J. McDonagh. P. McCormack. E. Varley  
S. O'Neachtain. P. McHugh.

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 Planning Permission to Ann Laheen, Brierfield for the erection of a dwellinghouse (change of house plan) at Brierfield North. (Planning Ref. No. 68683).

P. Connaughton. T. Walsh. M. Ryan. P. Finnegan  
T. Hussey.

3. "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 Tom McHugh to retain and complete access road and storage area at Kilcloghans, Tuam (Planning Ref. No. 68975.

P. Connaughton. T. Walsh. P. Finnegan.  
M. Ryan. T. Hussey.

4. "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 for dwellinghouse, garage and septic tank at Geehy South, to Mary Mahon Beggan, Geehy South, Kinvara, Co. Galway. (Planning Ref. No. 68619).

M. Cunningham. M. Fahy. M. Regan. M. Loughnane  
T. Byrne.

5. Planning Applications - Advance Notice to be given to County Secretary.

6. Sale of Plot of Land at Poolboy, Ballinasloe to Mr. Conor Flaherty, Ferbane, Co. Offaly - Section 83 Notice dated 30th August, 1993 already circulated.

7. To set date for September Monthly Meeting.

8. Williamstown Sewerage Scheme.

9. To consider entering into an Agreement with Galway Corporation, in accordance with Section 59 of the Local Government Act, 1955 for the laying of pipes and ancillary works in connection with Oranmore Sewerage Scheme.

10. To note date for Visit by the Minister for the Environment - 29th October, 1993.

11. People of the Year Awards.

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT THE COUNTY BUILDINGS, GALWAY ON MONDAY, 23rd  
AUGUST, 1993.

IN THE CHAIR:- Councillor J. Burke.

ALSO PRESENT:

Members:

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

Officials:

Messrs. T. Kavanagh, Deputy  
County Manager, P. Flood, County  
Engineer, L. Kavanagh, R.  
Killeen, S.E.E.'s, J. Murphy,  
S.S.O. Mrs. A. Hanley, Acting  
S.S.O., T. Murphy, Acting Admin.  
Officer, C. Wallace, Acting  
Finance Officer, and B. Doyle,  
Acting County Secretary.

The Opening Prayer was recited.

SYMPATHY.

1701

Councillor Cunningham proposed a Vote of Sympathy to the Family of Tomas Roseingrave who was a founder Member of Muintir Na Tire.

Resolutions of Sympathy were also passed with the following.

Fr. Martin Newell, P.P., Corrandulla.  
Mr. Joe Ribbon, Cloonluane, Renvyle.  
Mrs. Brid Comer, Stonepark, Williamstown.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY  
MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO.  
68711 - APPLICANT - MICHAEL CONROY.

1702

The resolution as set out on the Agenda was proposed

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MINUTES OF MONTHLY MEETING HELD ON 23/8/93  
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by Councillor Sean O'Neachtain, seconded by  
Councillor Connie Ni Fhatharta.

Councillor O'Neachtain indicated that this was a small development which was used as a builders depot. It has been there for many years and it was Mr. Conroy's only means of livelihood. He felt it would be restrictive zoning if this application was turned down. He felt that the development did not fit into industrial category. The agricultural zoning in this area was meaningless given the agricultural worth of the land. He felt that the use was not disruptive to the residential zoning in this area. With regard to the second reason for refusal, he could not agree that there was a traffic hazard at this location. The road at this location was rather wide and was only used by the applicant to supply local people. It was a small operation and he stressed it is was his only means of a living. He indicated that there was no local objections and felt that there was the flexibility in the Development Plan to allow this type of development.

The County Engineer referred to the report circulated to the Members and as set out hereunder indicated that the development was not in accordance with the proper planning and development of the area.

LOCATION:

The site is located at Forramoyle West, west of Barna in Barna Plan Area in an area zoned agricultural but with a fairly large spread of residential development.

PLANNING HISTORY:

Planning ref. No. 68266 - Planning permission refused in April, 1993 for the same development. Applicant: Michael Conroy.

PLANNING CONSIDERATIONS:

This development for which there is no planning permission consists of a paved yard which is in use as a builders depot in which the applicant stores concrete blocks and sand which he sells to people doing small building jobs in the Barna area.

The site is located in an area zoned "Agricultural" in the Barna Plan and adjoining the area zoned "Residential". The development control objectives as

set out in Chapter 11 of the County Development Plan requires development to conform with the uses set out in Table 11B and lists the type of uses which are not normally permitted in agricultural zones. Such uses include Industrial Development. Consequently, the proposal would not be in compliance with the Development Plan for the area.

The operation will also be within 100 metres radius of seven other houses and this would be regarded as too close a proximity to them to allow for acceptable standards of residential amenity, free from disturbance by noise, dust or traffic or unsociable hours of operation. It would also set a precedent for other industrial or commercial uses which require location close to dwellinghouses in similar areas.

RECOMMENDATION:

Refusal is recommended as follows:

1. The development is located in an agriculturally zoned area in the Barna Plan Area of the County Development Plan. It is the policy of the County Development Plan not to permit industrial development in such areas and the proposal would thus be in conflict with the said Development Plan.
2. The development would endanger public safety by reason of a traffic hazard which the development would create because the development is located on a narrow county road unsuitable for commercial/industrial vehicular use.
3. The development would be seriously injurious to the amenities of this agriculturally zoned rural area because the development is out of character with this rural area.

The County Engineer indicated that it was an industrial use and it was an unauthorised development accordingly. Councillor Brennan asked if there was a sandpit there why was it zoned agricultural. The County Engineer indicated that the blocks were not being made on site. The Chairman asked why the application was now being submitted on the basis that the development had been ongoing for a considerable amount of time. The County Engineer indicated that it was to regularise the development. Deputy Connaughton asked how many people were employed in the operation. Councillor O'Neachtain said that there was one person employed - the applicant. The

Chairman called for a vote on the resolution as set out on the Agenda.

**FOR:** Councillors Brennan, Byrne, Callanan  
Deputies Connaughton, O'Cuiv,  
Councillors Cunningham, Fahy, Finnegan,  
Finnerty, Gavin, Hussey, Loughnane,  
Mannion, McClearn, Deputy McCormack,  
Senator McDonagh, Councillors McHugh,  
Mullins, NiFhatharta, O'Neachtain,  
O'Neill, O'Sullivan, O'Tuathail, Ni  
Chuinn, Regan, Ryan, Walsh. (27)

**AGAINST:** None.

Councillors J. Burke and E. Varley abstained.

The Chairman declared the resolution carried.

MINUTES.

1703

On the proposition of Councillor Sean O'Neachtain, seconded by Councillor T. Hussey the Minutes of the Special Meeting held on the 9th July, 1993 were approved and signed by the Chairman.

On the proposition of Councillor Michael Mullins, seconded by Councillor Michael Cunningham the Minutes of the Annual Meeting held on the 19th July, 1993 were approved and signed by the Chairman.

On the proposition of Councillor Michael Ryan, seconded by Councillor Mullins the Minutes of Special Meeting held on the 19th July, 1993 were approved and signed by the Chairman.

On the proposition of Councillor Matt Loughnane, seconded by Deputy the Minutes of Monthly Meeting held on the 26th July, 1993 were approved and signed by the Chairman.

Councillor Loughnane asked that that an Item be placed on the Agenda for the next Meeting of the Council with regard to delays being experienced with regard to Improvement in Lieu Applications. Deputy O'Cuiv felt that there was a need to clarify the delays in relation to the Improvement in Lieu's. Deputy Connaughton asked that a Report could be made available and the item be placed on the Agenda so that an adequate discussion could take place on same.

Deputy McCormack indicated that numerous accidents

had occurred over the weekend in Connemara as a result of visitors driving on the wrong side of the road. He had requested over a year ago that signposts be erected around the County. The County Engineer indicated that he had wrote to Deputy McCormack asking where he felt these signs should be erected. Councillor McCormack indicated that he had replied but felt it was a matter for the County Engineer to decide where these signs should be put in place. The Chairman asked Deputy McCormack to provide a copy of the letter for the attention of the County Engineer.

**SALE OF SITE.**

1704

It was proposed by Councillor M. Loughnane, seconded by Councillor Callinan, and resolved.

"that Galway County Council hereby approve the sale of site at No. 55, Ard Aoibhinn, Athenry, Co. Galway. to Ms. Ann Smyth, "Villa Maria", Raheen, Athenry, Co. Galway in accordance with the terms of Notice dated the 10th August, 1993 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 LAND.**

1705

It was proposed by Councillor Finnegan, seconded by Councillor Hussey and resolved.

"that Galway County Council approve the sale of plot of land at Killaloonty (0.00528 hectares) to James Murphy, Weir Road, Tuam in accordance with the terms of Notice dated 11th August, 1993 under Section 83 of the Local Government Act, 1946 which had been circulated to Members of the Council.

**DISCUSSION OF ALLOCATION OF STRUCTURAL AND COHESION FUNDING UNDER THE PROPOSED NATIONAL PLAN.**

1706

In a wide ranging discussion to which many Members contributed there was unanimous agreement that the representatives of the County Council on the Structural Review Group make every effort to stress the need to ensure that an adequate proportion of the Structural and Cohesion funds be allocated to the West of Ireland.

**ADOPTION OF HIGHER EDUCATION GRANTS SCHEME 1993.**

1707

On the proposal of Councillor Brennan, seconded by Councillor Quinn it was unanimously resolved that the Higher Education Grants Scheme as circulated be adopted by Galway County Council.

On the proposal of Councillor Brennan the Members agreed that the Department of Education be requested to increase the income levels in all categories to provide for these figures to be treated as Net Income Figures in future years.

Deputy O'Cuiv indicated that there were two anomalies in this scheme as far as he was concerned.

1. For the Self Employed there was no provision for depreciation, lease costs etc. being included.
2. With regard to land inheritance - this was taken as income in the year of inheritance while no cash may be received by the person in that year. He felt that only cash inheritance should be included in the assessment.

Councillor T. Byrne felt there was some confusion with regard to whether people should apply to the Council or to the Vocational Education Committee for Grants. Ms. Ann Hanley, Acting S.S.O., indicated that one application would suffice. Councillor Callinan asked whether the Council accepts the accounts presented by Farmers that have been verified by the Revenue Commissioners. The Deputy County Manager indicated the Council had to make their own decision with regard to any Grant application. He pointed out that they were agents for the Department and that they had no option but to follow the guidelines laid down. Councillor Naughton indicated that he felt there should be loan facilities available for students. Councillor McClearn in accepting that they could not change this Plan he noted that there was no increase in the Maintenance Allowance in 1993. He felt that in future schemes should provide for an annual increase in the Maintenance Allowance. Councillor O'Sullivan indicated that there was some inequities in the system and that the Higher Education Grant Committee should formulate a policy and present the case to the Department of Education with regard to having same reviewed. On the proposal of Councillor Callinan,

seconded by Councillor Connaughton, it was unanimously agreed that Galway County Council write to the Minister for Education requesting that accounts verified by the Revenue Commissioners be accepted by the County Council when consideration was being given to a grant application received from a member of the farming/business community.

**ADOPTION OF SHEEP DIPPING REGULATIONS 1993.**

1708

On the proposal of Councillor Fahy, seconded by Councillor Callinan, the Members unanimously agreed to adopt the Regulations for Sheep Dipping for 1993. The Members agreed to suspend Standing Orders to allow Mr. Pat Donnellan, Galway I.F.A. to address the Meeting concerning the abolition of Dipping Charges. Councillor Callinan asked that the Members be circulated with the details of the I.F.A.'s case with regard to their opposition to the Sheep Dipping Regulations. The Chairman asked the representative of the I.F.A. to submit a list to the Secretary so that same could be circulated to the Members. Councillor Mullins proposed that Meeting of the Sheep Dipping Committee be held early in October to allow consideration be given with regard to the possible loss of income arising out of the abolition of the Sheep Dipping Charges so that same could be available to the Council before the Estimates Meeting. This was seconded by Deputy Connaughton and agreed.

**CONTRIBUTION TO GLENAMADDY TOWN TWINNING COMMITTEE.**

1709

On the proposal of Councillor Walsh, seconded by Councillor Hussey, it was unanimously agreed by Galway County Council to pay a contribution of £500 to Glenamaddy Town Twinning Committee.

**TENANT PURCHASE SCHEME.**

1710

Councillor Gavin indicated that he welcomed the Tenant Purchase Scheme, that it gave people an opportunity to buy out their homes, however, when he compared the two schemes - the current scheme to be adopted and the 1988 Tenant Purchase Scheme he felt that there were quite a lot of inadequacies in the current scheme. He had a number of principal areas of concern as follows:-

1. The Scheme did not give any recognition to people who spent money on maintaining their own house. In actual fact, it would mean that they would now

have to pay more to buy their house than someone who has not maintained same.

2. He felt that the procedure involved in valuations where there is an appeal to the Valuation Office could actually hold up someone wishing to proceed with the purchase of their home.
3. He was a bit dubious with regard to the requirement that people who wished to purchase their homes had to deal with banks and building societies.
4. He noticed also that the loans that were being made available were at variable rates and this could cause problems in the future for prospective tenant purchasers.
5. He indicated that in some instances where Galway County Council have repairs listed to be carried out that if someone wished to proceed to go and purchase, they could, in effect loose out on having those repairs carried out.
6. He was also apprehensive in relation to the fact that people cannot sell their house and there were certain problems with regard to tax relief etc.
7. He also quoted that in the example given in the case of a house being purchased for £20,000 that the repayments would be approximately £170 per month. He could not see tenants of local authority houses being in a position to repay these amounts of money.
8. He was also concerned that the Council had to cover the legal costs associated with the purchase. While in most cases these would be of small amounts it could leave the Local Authority open to a loss of income.

Councillor Toddie Byrne indicated that he was totally dissatisfied with the manner of valuing houses i.e. Market Value. He preferred to retain the valuation method used in the last scheme - i.e. updated cost.

The Chairman allowed Councillor Regan, at that point, to raise an issue concerning Loughrea Development Plan. Councillor Regan indicated that he wished to

amend the Plan so that back gardens in the Town Environs would be changed from the requirement of 11 metres to 3 metres. The Chairman indicated that the Plan had only been adopted and if Councillor Regan wished to have same amended he should make a submission to the County Secretary and let the matter be processed in the normal way.

Deputy Connaughton asked that perhaps the Officials could give an indication to him with regard to what the sale price of a house - the market value £10,000 would be. The Deputy County Manager explained the difference between the Old and New Scheme with regard to a house having a purchase price of £10,000. The Deputy County Manager outlined some of the other aspects of the Scheme at that point as follows:-

- (i) It was agreed that the scheme was not as favourable as the previous Tenant Purchase Scheme.
- (ii) There was no Closing Date for the Scheme.
- (iii) Once the Scheme had been approved, there was no need to bring individual sales details before the Council.
- (iv) The total purchase price of the house which would be affected by loan would be payable at the outset. Monies received in this way would be credited to the Housing Capital Account to be used for the Housing Construction Programme.

Councillor Finnerty indicated at this juncture that it would be appropriate that given the matters raised by the Members concerning the new Tenant Purchase Scheme that same be placed on the Agenda for the visit of the Minister for the Environment.

Continuing, the Deputy County Manager indicated that -

- (v) the method of valuation would be by way of the Council's own technical staff with an appeal to the Valuations Office.
- (vi) the cost of all legal matters will be borne by the Council. People could not avail of the Shared Ownership Scheme with regard to the Tenant Purchase Scheme.

Councillor Toddie Byrne proposed that the Scheme be rejected. This was seconded by Councillor Finnerty. After some discussion Councillor Byrne withdrew his Motion on the proposal of the Chairman that the matter be put back to the September Meeting of the Council. He asked that the Acting County Secretary focus on the main points raised by the Members so that the same could be incorporated into the Minute to allow for future discussion, and a report on the points raised to be provided by the County Manager. Councillor Callinan stressed that it must be looked at with regard to the possible loss of income for housing repairs that could result in the use of the funds from the proposed tenant purchase scheme being allocated to the Housing Construction Programme.

**TO DISCUSS POLICY STATEMENT ON COUNTERACTING SOCIAL SEGREGATION IN HOUSING.**

1711

On the proposal of Councillor Loughnane, seconded by Councillor Mullins the Members unanimously agreed to adopt the Policy Statement as circulated. It was agreed that same would be discussed at a Meeting at a later date.

**PROPOSED INCREASED TARIFFS BY TELECOM EIREANN**

1712

Councillor Mullins proposed that Galway County Council support the opposition with regard to the increase by Telecom Eireann with regard to their tariffs. This was seconded by Councillor Callinan. Councillor Hussey indicated that there were some positive aspects to the revised tariffs system. Deputy McCormack indicated that Fine Gael had opposed the proposals for increased tariffs in the Dail. It was agreed that Galway County Council write to the Minister for Transport, Energy and Communications outlining their opposition to the proposed increases in telecom tariffs.

**I.F.H.P. CONFERENCE - HELSINKI**

1713

On the proposal of Councillor Ryan, seconded by Councillor O'Neill it was proposed that Councillor E. Varley and Councillor Jimmy McClearn be appointed delegates to attend the above Conference from the 26th September, 1993 to the 2nd October, 1993 in Helsinki.

On the proposal of Councillor Hussey, seconded by Councillor O'Sullivan, it was proposed that Councillor Fahy represent Galway County Council at

this Conference.

**BUSINESS SUBMITTED BY THE COUNTY MANAGER.**

1714

The County Manager indicated to the Members that Galway County Council had received approval from the Minister for the Environment to proceed to Contract for the Tuam Main Regional Water Supply Scheme. The Members welcomed this development.

**BUSINESS SUBMITTED BY THE CHAIRMAN.**

1715

The Chairman proposed that Galway County Council write to Sonia O Sullivan congratulating her on her achievement on winning a Silver Medal in the 1500 metres at the World Championships in Stuttgart over the Weekend. This was agreed.

It was also agreed that the Council write to the B.L.E., condemning their failure to approve of a grant application to COSPOIR for Sonia O Sullivan.

Councillor Loughnane referring to the response to his Motion No. 25 - (Meeting of 23rd Aug. 1993) that pavement at Lakeside Park, Gort Road, Loughrea, be concreted by the Council. The following is the reply given - "There are no funds available to carry out this work in the current year".

He felt that it was important that a concrete kerb, at the very least, be provided at this location and that monies be provided for same in 1994. This was seconded by Councillor Fahy and agreed.

Councillor Loughnane referring to the response received to Motion No. 34 - Min No. 1674 (Meeting of 26th July, 1993) - that kerbing be provided opposite the old goods store at Ard Aoibhin, Athenry towards the pre-nursing school. The following reply was given - "There are no funds available for this work in the current year". Due to the fact that there was no funds available for this work in the current year it was proposed that funds be made available in 1994 for this work. This was seconded by Councillor K. Quinn.

Councillor Quinn asked the County Engineer to note the need to carry out some remedial works at the Hill of Ussey principally that she felt that a bend should be removed and the road resurfaced. This was noted by the County Engineer.

Councillor Fahy asked that the date of the September

Meeting be brought forward to Friday, 24th. It was agreed that this matter would be put on the Agenda for the September Planning Meeting for further consideration.

Councillor Mullins asked that the County Engineer investigate complaints that he had received with regard to the dangerous condition of a bend at Ballinamore Bridge.

The Members unanimously supported a Vote of Congratulations being passed to the Galway Junior and Senior Camogie Teams on reaching the All Ireland Finals.

Councillors Gavin asked is something could be done in regard to speeding in Moycullen Village.

**COUNCILLORS NOTICES OF MOTION**

**N.O.M. NO. 11 - SWIMMING POOL - CLR. WILLIE BURKE**

1716

The following written reply was given to Councillor Burke.

"The County Council has no objection in principle to the taking over of the swimming area at Shannon Park, Portumna. However, a number of questions have to be clarified. One of the main questions is, who owns the property? The Development Company has not forwarded any evidence of ownership, licence, boundaries, etc. The Council has referred the matters to its Law Agent for advice, and it would be helpful if the Development Company would forward full particulars of their interest in the property".

**N.O.M. NO. 12 - FIRE REPORT - CLR. WILLIE BURKE**

1717

The following written reply was given to Councillor Burke.

"Galway County Council have issued a Fire Safety Notice on The Principal and Occupier of St. Joseph's Primary School, Portumna. This notice was served on the 12th July, 1993, copy of the Notice can be inspected during normal opening hours in the General Purposes Section."

N.O.M. NO. 13 - ACQUISITION OF SITE - CLR. WILLIE BURKE. 1718

The following written reply was given to Councillor Cunningham.

Galway County Council have no funds available to purchase the property of Gort Mart for the purpose of a carparking area or the development of an Enterprise Centre. Galway County Council already have a site for the provision of a fire station at Gort.

N.O.M. NO. 14 - RIVER WALK - CLR. WILLIE BURKE 1719

The following written reply was given to Councillor Burke.

"Land would have to be acquired at this location. However, there are no funds available to either acquire the land or carry out the works in the current year."

N.O.M. NO. 15 - SIGN - CLR. MICHAEL FAHY. 1720

The following written reply was given to Councillor Fahy.

"A sign will be provided at the above location in due course."

N.O.M. NO. 16 - WALL - CLR. MICHAEL FAHY. 1721

The following written reply was given to Councillor Fahy.

"This matter is being investigated at present and you will be informed of developments in due course."

N.O.M. NO. 17 - DUMPS - CLR. PATRICK FINNEGAN 1722

The following written reply was given to Councillor Finnegan.

"This matter is being investigated at present. You will be informed of developments in due course."

N.O.M. NO. 18 - TUAM SEWERAGE SCHEME - CLR. PATRICK FINNEGAN. 1723

"The Preliminary Report for Stage 2 of the Tuam Main Drainage Scheme, which dealt with the sewer network,

was prepared by the Consulting Engineers in 1977. The Council is now arranging for a revised preliminary report to be prepared for submission to the Department of the Environment.

N.O.M. NO. 19 - SIGNS - CLR. PATRICK FINNEGAN 1724

The following written reply was given to Councillor Finnegan.

"Sign posting will be provided at the above location.

Further investigations are required and you will be informed of developments."

N.O.M. NO. 20 - ROAD - CLR. SEAMUS GAVIN 1725

The following written reply was given to Councillor Gavin.

"The road is now elevated as land on both sides has been excavated as a sandpit. The road is regularly monitored. It would be extremely costly to carry out any preventative work, and no funds are available in the current year."

N.O.M. NO. 21 - ROAD - CLR. SEAMUS GAVIN 1726

The following written reply was given to Councillor Gavin.

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

N.O.M. NO. 22 - ROAD - CLR. SEAMUS GAVIN 1727

The following written reply was given to Councillor Gavin.

"Routine maintenance is presently being carried out at the above location."

N.O.M. NO. 23 - LIGHTING - CLR. MATT LOUGHNANE. 1728

The following written reply was given to Councillor Loughnane.

"A light will be provided between Murphy's house and the Railway Bridge under the 1993 Public Lighting Programme."



N.O.M. NO. 24 - LITTER BINS - CLR. MATT LOUGHNANE. 1729

The following written reply was given to Councillor Loughnane.

"The Athenry Resident's Association are currently providing litter bins in Athenry and this location will be considered."

N.O.M. NO. 25 - ROAD - CLR. MATT LOUGHNANE 1730

The following written reply was given to Councillor Loughnane

"There are no funds available to carry out this work in the current year."

N.O.M. NO. 26 - ROAD - CLR. JIMMY McCLEARN. 1731

The following written reply was given to Councillor McClearn

"There are no funds available to carry out this work in the current year. However, routine maintenance will be carried out in order of priority and as resources permit."

N.O.M. NO. 27 - HEDGE TRIMMING - CLR. JIMMY McCLEARN 1732

The following written reply was given to Councillor McClearn.

"Hedgetrimming will be carried out at the above location under the 1993 hedge trimming programme as resources permit."

N.O.M. NO. 28 - S.E.S. DUNIRY CROSS - CLR. JIMMY McCLEARN 1733

The following written reply was given to Councillor McClearn.

"A Social Employment Scheme is due to commence at the above location on 29th August, 1993."

N.O.M. NO. 29 - FLOODING - SEN. JARLATH McDONAGH. 1734

The following written reply was given to Senator McDonagh.

"Remedial work has been carried out at above location."

N.O.M. NO. 30 - ROAD - SEN. JARLATH McDONAGH 1735

The following written reply was given to Sen. McDonagh.

"This work will be carried out later on in the year."

N.O.M. NO. 31 - DRAINAGE - SEN. JARLATH McDONAGH 1736

The following written reply was given to Sen. McDonagh.

"A S.E.S. has been approved by FAS for the carrying out of the above works. The project is expected to commence within the next month."

N.O.M. NO. 32 - S.E.S. - LOUGH HACKETT - CLR. PADDY McHUGH. 1737

The following written reply was given to Clr. McHugh.

"An application for an S.E.S. at above location was submitted to FAS on 30th April, 1993.

Approval has not been received to-date.

N.O.M. 33 - HEADFORD SEWAGE TREATMENT PLANT - CLR. PADDY McHUGH. 1738

The following written reply was given to Clr. McHugh.

"Galway County Council have Contract Documents for the scheme with the Department of the Environment. The Department have raised a number of procedural matters with Galway County Council. These queries have been forwarded to our Engineering Staff and it is hoped that a response will be made to the Department's requirements in the very near future.

Galway County Council have been given no indication, even if these matters were fully completed with the Department, that finance would be made available immediately to complete this scheme. Headford Sewerage Scheme was included in the Operational Programme 1993 - 1997 and Cohesion Funds 1993 - 1997.

N.O.M. NO. 34 - ROAD - CLR. PADY McHUGH 1739

The following written reply was given to Clr. McHugh.

"It was not possible to carry out this work in the current year due to lack of funds. However, this project will be included in the 1994 Road Works Programme."

N.O.M. NO. 35 - ROAD - AN COMH. CONNIE NI FHATHARTA 1740

The following written reply was given to An Comh. Ni Fhatharta.

"The estimated cost of realigning this section of road is £600,000."

N.O.M. NO. 36 - ROADS - AN COMH. CONNIE NI FHATHARTA 1741

The following written reply was given to An Comh. Ni Fhatharta.

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

N.O.M. NO. 37 - ROAD - AN COMH. CONNIE NIFHATHARTA. 1742

The following written reply was given to An Comh. Ni Fhatharta.

"There are no funds available in the current year to carry out this work."

N.O.M. NO. 38 - BURIAL GROUND - DEPUTY EAMON O'CUIV 1743

The following written reply was given to Deputy O'Cuiv

"That the Council is seeking a suitable site to provide a Burial Ground in the Cashel Area."

N.O.M. NO. 39 - BOTHAR - EAMON O'CUIV, T.D. 1744

Seo leanas an freagra a tugadh don Comhairle O Cuiv.

"Ni raibh muid indhon an lathair thuasluaite a chur sa chlar oibreacha bothar 1993 toisc easpa airgid.

Bheadh muid inan an obair a dheanamh da gcuirfheadh Roinn na Gaeltachta deontas ar fail."

N.O.M. NO. 40 - BOTHAR - EAMON O'CUIV, T.D. 1745

Seo leanas an freagra a tugadh don Comhairle O Cuiv.

"Ni raibh muid indhon an lathair thuasluaite a chur sa chlar oibreacha bothar 1993 toisc easpa airgid.

Bheadh muid inan an obair a dheanamh da gcuirfheadh Roinn na Gaeltachta deontas ar fail."

N.O.M. NO. 41 - BOTHAR - AN COMH SEAN O'NEACHTAIN 1746

Seo leanas an freagra a tugadh don Comhairle O Cuiv.

"Beidh muid ag deisiu an piosa ata faoi churam an Comhairle Chondae go gairid".

N.O.M. NO. 42 - FORBAIRT SAN SHEAN CHEIBH SAN SPIDEAL - AN COMH. SEAN O'NEACHTAIN 1747

Seo leanas an freagra a tugadh don Comhairle O Nechtain.

"Ta sceim S.E.S. ar bun ag an lathair seo faoi lathair faoi churam Udaras na Gaeltachta.

Ta caidreamh ar siul idir an innealthoir aitiul agus Udaras chun obair a dheanamh do reir mar ata leaghta amach i bplean taithneamhacht an Spideal."

N.O.M. NO. 43 - ROAD - CLR. SEAN O'NEACHTAIN 1748

The following written reply was given to Councillor O'Neachtain.

"The above location will be included in the 1994 proposals to the Department of the Environment."

N.O.M. NO. 44 - REDEVELOPMENT OF DERELICT SITES - CLR. EVELYN VARLEY. 1749

The following written reply was given to Councillor Varley.

"It is Galway County Council's policy to provide Local Authority Housing in towns and villages. The

acquisition of derelict sites for housing purposes will be considered where there is an established housing demand.

N.O.M. NO. 45 - ROAD - CLR. EVELYN VARLEY 1750

The following written reply was given to Councillor Varley.

"The above location will be considered in the preparation of the 1994 Road Works Programme."

N.O.M. NO. 46 - TRAFFIC - CLR. EVELYN VARLEY. 1751

The following written reply was given to Councillor Varley.

The matter will be referred to the Garda Siochana for recommendation in the coming weeks."

THE MEETING THEN TERMINATED.

*Submitted, Approved & Confirmed,*

*Joseph J. Quake  
(Chairman)*

*27/9/93  
(Date)*

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

16u la Lunasa, 1993.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniu miosuil de Chomhairle Chontae na Gaillimhe a thionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain, an 23u la Lunasa, 1993, ag tosnu ar a 3.30 a chlog sa trathnona.

Mise, le meas,

B. O'DUBHGHAILL  
RUNAI SEALADACH

A G E N D A

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 permission for the retention of small block and sand yard to Mr. Michael Conroy at Forramoyle West, Barna. (Planning Ref. No. 68711).  
  
Sean O'Neachtain. Paddy McHugh. P. McCormack.  
Evelyn Varley. Seamus Gavin. Jarlath McDonagh.
2. Consideration of Minutes of the following meetings:
  - (a) Minutes of Special Meeting held on 09/07/1993.
  - (b) Minutes of Annual Meeting held on 19/07/1993.
  - (c) Minutes of Special Meeting held on 19/07/1993.
  - (d) Minutes of Monthly Meeting held on 26/07/1993.
3. To discuss the allocation of Structural and Cohesion funding under the Proposed National Plan.

4. Sale of site at Ard Aoibhinn, Athenry, to Ms. Ann Smyth.  
- Section 83 notice dated 10th August, 1993, already circulated.
  5. Sale of plot of land at Killaloonty, Tuam, to Mr. James Murphy. - Section 83 notice dated 11th August, 1993, already circulated.
  6. Contribution of £500 to Glenamaddy Town Twinning Committee.
  7. To discuss Tenant Purchase Scheme.
  8. To discuss Policy Statement on counteracting Social Segregation in Housing.
  9. Business submitted by the County Manager.
  10. Business submitted by the Chairman.
- 

COUNCILLORS NOTICES OF MOTIONS :

- Adjourned from previous Meeting :

CLR. WILLIE BURKE

- I will propose :

11

That the Swimming Pool Area at Shannon Park, Portumna be taken in charge by Galway County Council.

COUNCILLORS NOTICES OF MOTIONS:

- Other Motions Received :

- 12 CLR. WILLIE BURKE - I will propose :  
That the County Manager immediately issue the County Fire Officer's report on the St. Joseph's National School, Portumna.
- 13 CLR. WILLIE BURKE - I will propose :  
That Galway County Council acquire the site of the Gort Mart, which is to be put up for sale by the Mart Company. This site to be then developed by Galway County Council as a Public Carparking Area and to be used for the development of an Enterprise Centre and as a Site for the New Fire Station at Gort.
- 14 CLR. WILLIE BURKE - I will propose :  
That a River Walk be developed at Gort.
- 15 CLR. MICHAEL FAHY - I will propose :  
That Galway County Council erect a sign for Derrybrien at Kenny's Bridge, Peterswell.
- 16 CLR. MICHAEL FAHY - I will propose :  
That Galway County Council lower wall on County Road leading to John Fahy's house, Dunally, Peterswell. This portion of wall adjacents lands owned by Kellehers. Wall to be lowered to improve visability and safety on this road.
- 17 CLR. PATRICK FINNEGAN - I will propose :  
That this Council clean up dumps at these locations (details supplied) and bring to an end the unwanted dumping in them, and that the Council inform me as to what its intention is in relation to them.
- 18 CLR. PATRICK FINNEGAN - I will propose :  
That the Council submits to the Department of the Environment the necessary documents for Phase II of Tuam Sewerage to include all areas of Tuam not yet done under Stage I and that the Council inform me as to what the present position is with these documents.
- 19 CLR. PATRICK FINNEGAN - I will propose :  
That this Council erect suitable signposts at this location (details supplied) and eliminates the constant flooding which makes the junction more dangerous.

- 20 CLR. SEAMUS GAVIN - I will propose :  
I request that Galway County Council investigate the dangerous condition of the Tullykyne Road - to Killanin, from the entry at Tullykyne National School (Further details supplied).
- 21 CLR. SEAMUS GAVIN - I will propose :  
That repairs are carried out to the Killanin Road and towards the old Cemetery in Killanin, which many people visit especially over the Summer months, when home on holidays.
- 22 CLR. SEAMUS GAVIN - I will propose :  
That repairs be carried out on the Poulnaclough-Barna Road as quickly as possible
- 23 CLR. MATT LOUGHNANE - I will propose :  
That a public light be provided on the 2nd pole in front of Murphy's house and to the side of the pre-nursing school, Athenry. Such a light would cater for users of the Tuam Road in the vicinity of the Railway Bridge.
- 24 CLR. MATT LOUGHNANE - I will propose :  
That an adequate number of litter bins be provided at Ard Aoibhin, Athenry.
- 26 CLR. JIMMY MC CLEARN - I will propose :  
That Galway County Council resurface road at Shangarry, Gurty Madden, Loughrea - leading up to the home of Mrs. Rita Lyons.
- 27 CLR. JIMMY MC CLEARN - I will propose :  
That Galway County Council carry out hedgetrimming at Liss, Kylebrack, Loughrea
- 28 CLR. JIMMY MC CLEARN - I will propose :  
That Galway County Council give date for commencement of work at Duniry Cross

- 29 CLR. JARLATH MC DONAGH - I will propose :  
That Galway County Council carry out work to remedy persistent flooding situation at Gortaclava , Claregalway.
- 30 CLR. JARLATH MC DONAGH - I will propose :  
That Galway County Council carry out much needed improvement work on road which is in deplorable state and also implement plan to cure long standing drainage problem.
- 31 CLR. JARLATH MC DONAGH - I will propose :  
That Galway County Council up-date me with regard to proposal for long standing drainage problem and inform me as to when remedial plans are to be implemented (details attached).
- 32 CLR. PADDY MC HUGH - I will propose :  
That Galway County Council organise a Social Employment Scheme to carry out improvement works at (details supplied)
- 33 CLR. PADDY MC HUGH - I will propose :  
That Galway County Council provide me with the up to date position in relation to the (details supplied).
- 34 CLR. PADDY MC HUGH - I will propose :  
That Galway County Council furnish me with the conclusions of their examination of the road problem at (details supplied)
- 35 CLR. CONNIE NI FHATHARTA - I will propose :  
That Comhairle Chontae na Gaillimhe prepare a report on the cost of repairing and improving the Regional Road between Derrynea Courthouse and Ridge's house at Casla.
- 36 CLR. CONNIE NI FHATHARTA - I will propose :  
That Comhairle Chontae na Gaillimhe make funds available to repair the following roads in the Casla Engineering Area : Furnish Leitirmeallain, Trayors Road Tuairin, Seanachassis Drúim, two roads in Tismeain - An Cheathru Rua and two roads Rinn An Cheathru Rua.

- 37 CLR. CONNIE NI FHATHARTA - I will propose :  
That Comhairle Chontae na Gaillimhe rebuild the wall beside the road into Ross Island An Cheathru Rua. The road was damaged in last winter's storms and local people are anxious that the wall is rebuilt before this winter.
- 38 CLR. EAMONN O'CUIV - I will propose :  
The need for Galway County Council to provide a suitable burial ground at Cashel, Connemara.
- 39 CLR. EAMONN O'CUIV - I will propose :  
Molaimse go gcuirfear caoi laithreach ar an mbothar Comhairle Contae thar an taiscumar uisce i Rosmuc chomh fada le teach Phadraic O Griallais, Gairbhinn, Rosmuc.
- 40 CLR. EAMONN O'CUIV - I will propose :  
Molaimse go gcuirfear caoi ar mbothar Saile Thuna Thoir, An Spideal chomh fada le teach Padhraic O Coincheannain. Ta an droch chaoi ar an mbothar seo.
- 41 CLR. SEAN O'NEACHTAIN - I will propose :  
Go ndeanfadh Comhairle Chontae na Gaillimhe caoi agus deisiu a chur an on mbothar seo (Tuairisc leis seo).
- 42 CLR. SEAN O'NEACHTAIN - I will propose :  
Go gcuirfeadh Comhairle Chontae na Gaillimhe plean i dtoll a cheile chun an tionad thart ar shean cheibh an Spideil a fhorbairt mar ionad caitheamh aimsire le siuloidi agus aiseanna eile.
- 43 CLR. SEAN O'NEACHTAIN - I will propose :  
That Galway County Council seek immediate funding from the Department of the Environment for the very necessary improving of this road (details supplied).
- 44 CLR. EVELYN VARLEY - I will propose :  
That Galway County Council concentrate on redevelopment derelict sites in towns and village centres. This would improve the appearance of these villages and would also reduce the need (in many instances) for developing greenfields sites on the outskirts of these towns and villages. It would also help to reduce the great need for Local Authority Housing.

CLR. EVELYN VARLEY

- I will propose :

45

That Galway County Council to provide monies for the Greenfields road, Headford, in the year's Estimates (Details enclosed)

CLR. EVELYN VARLEY

- I will propose :

46

That Galway County Council have "one-way traffic" from Main Street, Headford, to the New Estate, with a view to safety.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 13TH AUGUST, 1993.

IN THE CHAIR: Councillor J. Burke

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, M. Loughnane, J. Mannion, J. McClearn, Deputy P. McCormack, Senator J. McDonagh, Councillors P. McHugh, M. Mullins, C. Ni Fhatharta, S. O'Neachtain, M O'Neill P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, and E. Varley and T. Walsh.

Officials Messrs. T. Kavanagh, Deputy County Manager, P. Flood, County Engineer, L. Kavanagh, S.E.E., J. McGovern, Acting Assistant County Manager, B. Doyle, Acting County Secretary, J. Murphy, Acting Admin. Officer.

The Opening Prayer was recited.

VOTE OF SYMPATHY.

1692

The Chairman expressed disappointment at not being informed with regard to the the death of Councillor McClearn's mother.

On the proposal of Senator McDonagh, seconded by Councillor M. Fahy a Vote of Sympathy was proposed to Councillor McClearn and his Family on the death of his mother.

On the proposal of Councillor K. Quinn seconded by Councillor Finnegan a Vote of Sympathy was proposed to Mr. T. Hussey on the death of his Brother in Law, Mr. William O'Brien, Kilsallagh, Ballymoe.

Councillor Willie Burke on behalf of the Progressive Democrats associated himself with the Vote of Sympathy with Councillor McClearn

Councillor T. Walsh also wished to be associated with the Vote of Sympathy.

The Chairman proposed a Vote of Sympathy for Mr. Aiden and Mr Padraic Glynn of the Council's Technical Staff on the death of their Mother.

The Deputy County Manager indicated that he was not aware of the death of Councillor McClearn's mother. He asked that the Council be informed if a relative of any Member died in the future and that he would arrange to circulate the Members.

The Deputy County Manager on behalf of the Staff of Galway County Council extended his sympathy to the relatives of the deceased.

The Chairman then adjourned the meeting for 10 minutes as a mark of respect.

Votes of Sympathy were also extended with the following:-

Mrs. Comer, Ballygaddy Road, Tuam.  
Mr. & Mrs. Jim Flanagan, Galway Road, Tuam.  
Mr. Declan Harney, Ruane, Creagh, Ballinasloe.

Councillor McClearn thanked the Members for their Votes of Sympathy on behalf of both himself and his family on the death of his Mother.

CONGRATULATIONS.

1693

Councillor Mullins congratulated the Galway Hurlers Minor and Senior on reaching the All Ireland Finals. He hoped that the Chairman would be welcoming back the McCarthy Cup to Galway on the 6th September, 1993.

Council Cunningham also congratulated the Galway Hurlers. In particular, the Members of the Minor Team who are from the Gort Area.

Senator McDonagh proposed that Galway County Council and Galway Corporation write to the G.A.A. for tickets for the All Ireland Finals. This was seconded by Deputy McCormack. The Chairman indicated that he was quite sure that Deputy McCormack in his capacity as City Councillor would be making his own approach with regard to the Corporation Members.

Deputy McCormack congratulated Councillor Michael Fahy on being selected to act on the Board of Limerick Gaol Visiting Committee, this was seconded by the Chairman, Councillor J. Burke.

RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 67856 - APPLICANT - PADRAIC KEADY.

1694

The resolution as set out on the Agenda was proposed by Deputy O'Cuiv and seconded by Councillor Ni

Fhatharta.

Deputy O Cuiv indicated that the applicant owned the land in this instance. The lands adjacent to the site were owned by the family. The main point in this instance was visibility of the house which it was claimed would be obtrusive on the landscape. He disputed this. Deputy O Cuiv indicated it would not be visible except for a half mile along the County Road that was not used extensively.

The County Engineer read the following report which had been circulated to the Members prior to the Meeting.

LOCATION:

The site is located in the townland of Truska on the Bunowen to Doonloughan road approximately 1 mile east of Connemara Golf Club.

PLANNING CONSIDERATIONS:

The site is in an area zoned "High Scenic Amenity" in the County Development Plan. It is a subdivision of a field which the deceased owner left to her two sons. The present applicant lives in a house in Spiddal and does not have a housing need.

While the County Development Plan does not impose the severe restriction on housing development which applies in the area of "Outstanding Scenic Amenity" it nonetheless states that the policy is "to control and restrict development which would detract from scenic views or would be otherwise out of character with the area".

The site is an elevated ridge of ground which looks northwards onto the sand dunes of Truska and Manninbeg. There is extensive outcropping bedrock with very shallow soil cover in places. Trial holes encountered rock at a depth of 1 foot and the applicant proposes to bring drainage materials onto the site so as to comply with the requirements of S.R.6 1991. This will in turn require the house to be on the high ground contours in order to drain to the septic tank system. Such a location will result in a very obtrusive development on the landscape when viewed from the approach road to the South East or from the sand dunes to the North West. It would not seem possible to implement an effective planting scheme to assimilate the development because of the outcropping rock.

RECOMMENDATION:

The following difficulties would arise in relation to this application.



1. The proposed development would be seriously injurious to the visual amenity of this Area of High Scenic Amenity because the site is elevated and exposed and any development thereon would be a strident feature incapable of being assimilated into the landscape.

2. It is the policy of the Planning Authority as stated in the County Development Plan 9.2.1(ii) (c) to control and restrict development in Areas of High Scenic Amenity which would detract from scenic views or would otherwise be out of character with the area. The proposed development would contravene the said policy.

The County Engineer referring to the above report indicated that what was really wrong in this particular instance was the fact that the applicant chose the highest point to place the house. If the applicant moved to low ground in the area the County Council would look favourably on the possibility of granting permission for same. The County Engineer indicated that the applicant lived in Spiddal and as such had no housing need. The development would be out of character and would be visible from the sand dunes and approach road. He reiterated that the County Council would be most sympathetic if an alternative location was proposed for the dwellinghouse.

Councillor O'Neachtain indicated that he felt that the development could be incorporated into the landscape. The level of the house could be lowered. The fact that the land was family owned was the main reason for this application. He pointed out that there were other houses in this area. The County Engineer clarified the matter with regard to this point indicating that he wished to have the house located to another site. He felt that if the house was dug into this particular area it would spoil the view also. Deputy O Cuiv enquired whether the Council had requested additional information in this case. The County Engineer indicated in the affirmative. Deputy O Cuiv asked was one of the questions to the applicant an enquiry with regard to the total lands owned by the applicant in that area. The County Engineer read the additional information requested from the applicant.

Deputy O Cuiv indicated that the problem in this particular instance was that there was no time to consider a further location. The application had to be decided on the 16th August, 1993. They did not know if an alternative site would come up with the problem of complying with S.R. 6. He felt that there was a breakdown in communication between the applicant and the planning staff. The applicant was not requested to look at the possibility of an alternative site. He reiterated his point that the site was not visible from the Golf Club Road which

was the road that was more heavily trafficked in this area. The County Engineer also indicated to Councillor Brennan that there was no consultation with the Planners with regard to this planning application. Councillor Brennan indicated that he could not support this Section 4. There were other refusals in this area. He believed that there should be no Section 4's unless there was consultation between the Council Planners and the applicants. The Chairman called for a Vote on the Section 4 as before the Council.

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

**FOR:** Councillors Byrne, Callanan, Deputies Connaughton, O'Cuiv, Councillors Cunningham, Fahy, Finnegan, Finnerty, Gavin, Loughnane, Mannion, McClearn, Deputy McCormack, Senator McDonagh, McHugh, Mullins, NiFhatharta, O'Neachtain, O'Neill, O'Sullivan, Quinn, Regan, Ryan, Walsh. (24).

**AGAINST:** Councillor Brennan, J. Burke, W. Burke Varley. (4)

The Chairman declared the resolution carried.

**RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955, - PLANNING APPLICATION NUMBER 68587 - APPLICANT: ALAN GRIFFIN**

1695

The resolution as set out on the Agenda was proposed by Deputy McCormack and seconded by Councillor Seamus Gavin.

Deputy McCormack indicated that in his opinion the erection of a dwelling house and septic tank at this location was in accordance with the proper planning and development of the area. He felt that the two reasons for refusal as recommended were not valid in this particular case. He indicated there were three other houses at this location. The Council's requirement with regard to access to minor roads was being complied with fully in this instance rather than having access onto National Primary routes. The applicant owns other land in the area, has an essential housing need, and as such meets the criteria set down in the Development Plan.

The County Engineer referred to the planning history and the following report which had been circulated to the Members prior to the Meeting.

**LOCATION:**

The site is located on a non-public road which is off the main Galway-Tuam Road (National) Primary Route

N17 on the Galway side of Claregalway village. The site is outside the development boundary of Claregalway village and this part of the National Primary Road is outside the 40 m.p.h. speed limit zone. The access road serving the site is approximately 140 metres long and there are already 2 dwellinghouses built along this access road.

PLANNING HISTORY:

Ref. No. 64358 - Outline permission refused in August 1991 for dwellinghouse on the same site on grounds of traffic hazard - Applicant Ms. Mary Jennings.

65027 - Outline permission refused in March, 1992 for dwellinghouse on a site which included part of current site. Applicant Alan Griffin. A Section 4 Motion was withdrawn in this instance.

68196 - Permission refused in April, 1993 for dwellinghouse and septic tank on the same site as current application. Applicant Alan Griffin.

PLANNING CONSIDERATIONS:

The proposed development would take access onto the N17 at a point where the maximum speed limit applies and along a stretch of road that is already grossly overdeveloped with at least 20 houses developed along an 800 yard stretch of road. On the opposite side of the road, there is another county road junction with approximately 9 new houses having been built just off the N17 over recent years. This demonstrates an excessive level of development along and adjacent to a National Primary Route. The proposed development would add to this level of development and exacerbate the traffic hazard along this stretch of National Primary Route.

The applicant claims that the proposed dwellinghouse is an additional dwellinghouse on the family farm. However the entire land-holding is only 7.5 acres which could not reasonably be considered as a viable farm unit. In any case the remainder of the field appears to be in use for horse-training and there is a large commercial horse training building in the adjoining field. The proposed dwellinghouse could not therefore be described as a 2nd family dwellinghouse on the family farm as defined in the County Development Plan "essential housing need" category.

RECOMMENDATION:

Refusal is recommended for the reasons set out hereunder.

1. The proposed development would endanger public safety by reason of a traffic hazard because the site takes its access onto a heavily trafficked section of the National

Primary Road where the maximum speed limit applies and the traffic movements generated by the development would interfere with the safety and free flow of traffic on the road. In addition, the development would militate against the objectives of the Planning authority to:

- (a) preserve the level of service and carrying capacity of the road so that it can fulfil its function as a through road for heavy traffic.
- (b) protect the public investment in the National road network.

2. The proposed development would contravene the County Development Plan (Chapter 8, Table 8A) which limits development along this road to those where essential family housing need exists, a category of development which does not apply in this case.

The County Engineer indicated that there were two houses with access on to the laneway. The laneway was quite narrow and would only accommodate one vehicle. There would be a problem with cars turning right into the laneway and having to stall on the National Primary Road waiting for the entrance to clear. The proposed development would endanger public safety by reason of a traffic hazard, because the site takes its access on to a heavily trafficked section of the National Primary Road. The traffic movements generated by the development would interfere with the safety and free flow of traffic on the road.

The County Engineer indicated that 41% of accidents occur on National Primary Routes which account for less than 10% of the road network and this was a frightening statistic. These routes should not be used as development routes. The County Engineer indicated that this was not a County Road and was a private avenue. The A.A.D.T. of this section of the roadway, established in 1990, was set at 10,088 vehicles plus 20% for current figures, 9% represented heavy goods. These were clear reasons for refusal of the application currently before the Council. The County Engineer pointed out that it was hoped that eventually there would be a dual carriageway along this section of road as far as Laghtgeorge. Councillor Seamus Gavin indicated that the County Council were not being consistent. He took issue with regard to the indication in the report that on the opposite side of the road, there was a County Road junction with approximately nine new houses having been built just off the N.17 over recent years. This was further away and was not opposite the laneway to which the current application refers. Councillor Gavin said the applicant seems to be left to suffer because of the overdeveloped road. The whole question of the viable family farm had to be addressed in any review of the County Development

Plan. He believed that 7.5 acres can be a viable unit. It depends on the type of farming - extensive farming could be done on less. He also indicated that other developments had taken place in this area. Councillor Ryan, on a point of information to the County Engineer, enquired with regard to the width of County Road, and pointed out that in his area, County Roads were no wider than the one in question. This should not be an objection in this case. The County Engineer made the point that in those instances, you would not have a similar situation that pertains on a National Primary Road. Councillor Ryan indicated that you would have milk lorries waiting to turn off into these also. Councillor Varley indicated that she would question too the fact when a farm is viable or not viable. Councillor Varley knew a farmer who had lost the free fuel allowance over the question of redundant land which was considerably less than seven and a half acres. Therefore, she had to question the rule as to what was a viable farm. Senator McDonagh indicated that the whole kernel of the problem in this instance was what is a viable farm? If it is accepted as viable, the permission should be granted as it was a second family dwellinghouse. Councillor Brennan indicated that he had a certain sympathy with this particular case and wondered about the viability of farm sizes. Deputy McCormack indicated that he would not argue with the County Engineer as it would achieve no good. He supported the idea of a dual carriageway at this location.

With regard to the current application:-

- (1) It was on a side road.
- (2) It was on the applicant's own lands.

Deputy McCormack indicated that the intention of the Development Plan was to allow an applicant an opportunity to build on his own lands. It is quite obvious that there is a very wide road at this location, and there is also nothing to stop the road being widened further. He could quote others that have been granted permission in these circumstances.

The County Engineer, responding to Councillor Gavin's point, indicated that he had not specified the other developments in this area. Three of these were, as a result of Section 4 resolutions. Others were at least twenty years constructed. There were no recent decisions given by the County Council in this area with regard to planning approvals. It was unfair to make generalisations. He pointed out, also, that there was a refusal to Mary Jennings on this site in 1991. Councillor Gavin indicated that he would be only quite willing to clarify the other developments in this area. He felt it was unfair to victimise one person because of the other development in the area.

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

**FOR:** Councillors Brennan, Byrne, Callanan, Deputies Connaughton, O'Cuiv, Councillors Cunningham, Fahy, Finnegan, Finnerty, Gavin, Loughnane, Mannion, McClearn, Deputy McCormack, Senator McDonagh, Councillors McHugh, Mullins, Ni Fhatharta, O'Neachtain, O'Neill, O'Sullivan, Quinn, Regan, Ryan, Varley, and Walsh. (26)

**AGAINST:** Councillor W. Burke. (1)

Councillor J. Burke abstained from voting.

The Chairman declared the resolution carried.

**NOMINATION OF MEMBERS FROM EACH GROUP TO MEET WITH THE COUNTY SECRETARY AND COUNTY MANAGER TO DISCUSS PROPOSED AGENDA FOR MEETING WITH THE MINISTER FOR THE ENVIRONMENT.**

1696

Councillor Mannion indicated that it was agreed at the July Meeting that 6 Members of the Council would be nominated together with the Chairman to meet with the County Secretary and the County Manager to discuss the proposed Agenda for a Meeting with the Minister for the Environment. Councillor Mannion seconded by Councillor McDonagh proposed Councillor Michael Ryan and Councillor Michael Mullins. Councillor Fahy, seconded by Councillor Paddy McHugh proposed that the full Council meet In-Committee to decide on an Agenda for the Meeting with the Minister. The same meeting could also incorporate the Development Plan review. Councillor Gavin indicated that this was a time wasting exercise. It would be better if each group nominated people so that an Agenda could be decided. Deputy Connaughton agreed that the selection of members from each group was the most positive way to proceed with this matter. Councillor Finnegan indicated that it was important that every one have their say in this particular matter. Councillor McHugh indicated his support to the opinion expressed by Councillor Finnegan. Councillor Willie Burke indicated that at the previous meeting of the Council a group session was agreed. It was not possible to rescind this decision. Deputy County Manager, Mr. T. Kavanagh indicated that there was plenty of time to deal with the matter now. He did not feel that there was any necessity to have another meeting to discuss same. It was proposed by Councillor Brennan, seconded by Councillor Mannion, that Councillor Willie Burke and Councillor Evelyn Varley be nominated to meet with the County Secretary and the County Manager to discuss the proposed Agenda. The Chairman asked were there any nominations from the Fianna Fail Group. There were no nominations received from

Fianna Fail.

CONSIDER MAKING OF CONTRIBUTION TO CONNEMARA/  
VLAANDEREN. 1697

On the proposals of Deputy O Cuiv, seconded by Councillor O Neachtain, it was unanimously agreed that a contribution of £2,500 be paid to Connemara/Vlaanderen. The Deputy County Manager, Mr. Kavanagh outlined the background to this proposal for the benefit of the Members.

BUSINESS SUBMITTED BY THE CHAIRMAN. 1698

Deputy McCormack welcomed An Bord Pleanala's Decision with regard to the Barna Golf Club Appeal. This was seconded by Councillor Seamus Gavin. Deputy McCormack indicated that there should be a penalty for frivolous objections. Deputy O Cuiv indicated that he felt there was place in the planning systems for objections on solid planning grounds. The Deputy County Manager indicated An Bord Pleanala had power to deal with frivolous objections.

Councillor Gavin enquired whether there is any change in the exempted regulations requirements as a result of the decision on the Barna Golf Club case. The Deputy County Manager indicated that there was no change in the exempted regulations. Each case would have to be examined with regard to the proposals and the exempted development regulations.

In response to Deputy O Cuiv, the Chairman indicated that the matter of Finger Post Signs would be dealt with on an Agenda at a later date.

On the proposal of Deputy Connaughton, seconded by Senator McDonagh it was unanimously approved that Mr. Frank Rushe, Mountbellew, Ballinasloe replace Mrs. Mary Conway, Mountbellew on the Libraries Committee.

On the proposal of Deputy Connaughton, seconded by Senator McDonagh it was agreed that an Item be placed on the Agenda for the Monthly Meeting of the County Council with regard to the allocation of the Eight Billion Pounds Structural and Cohesion Funds.

Senator McDonagh expressed his concern with regard to the influx of New Age Travellers to the Galway area. They were creating traffic hazards in a number of locations. Their animals were a hazard to traffic and property. Fires also could be a problem. He felt that the legislation was ineffective in this area. He felt that the influx of travellers, particularly from England, was as a result of new laws being implemented in that Country to control indiscriminate parking. Senator McDonagh proposed that the Council write to the Minister for the Environment and the General Council of County Councils with regard to this problem seeking more

effective legislation for dealing with same. This was seconded by Deputy McCormack. A number of other Members of the Council highlighted the problems that were occurring throughout the County with regard to New Age Travellers and Travellers parking in public areas.

SHEEP DIPPING MEETING - OUGHTERARD - 13/08/93. 1699

On the proposal of Councillor Fahy, seconded by Councillor Cunningham, Councillor J. Callanan was proposed to attend the Sheep Dipping Meeting in Oughterard. This was agreed.

Councillor Ni Fhatharta asked when they would be hearing about the Speed Limit Review for Rossaveal. The Deputy County Manager indicated that this matter had been referred to the County Engineer. He would come back to the Council when the reports were ready.

Councillor Quinn congratulated the County Engineer on the improvements on the Ballymoe to Roscommon Road. She also inquired when something would be done with regard to the ragwort which was to be seen from Laghtgeorge to Galway. Deputy McCormack indicated that he received a response from the County Engineer indicating that this matter would be dealt with in due course. The County Engineer indicated the problems that were associated with the elimination of ragwort. This was further complicated by the 3,000 miles of roadway in the County.

Councillor Gavin asked whether Galway County Council had had any input into the provision of the Galway Sewage Treatment proposal. The Deputy Manager indicated that this was a matter for Galway Corporation.

Councillor Fahy reminded the County Engineer with regard to the requirements to have some hedge cutting carried out in South Galway.

CONFERENCES - LETTERKENNY 9TH/11TH SEPTEMBER, 1993 -  
HUMAN RESOURCE DEVELOPMENT 1700

On the proposal of Councillor Michael Ryan seconded by Councillor McClearn it was proposed that Councillor Mannion and Senator McDonagh attend the Conference. On the proposal of Councillor Fahy seconded by Councillor Finnegan it was proposed that Councillor Callanan attend the Conference. This was agreed.

THE MEETING THEN TERMINATED.

Submitted, Approved & Confirmed.

John Jack  
(Chairman)

27/9/93  
(Date)