



Galway County Council Archives

GALWAY COUNTY COUNCIL,

COUNCIL MINUTES

GC/1/38

22 JULY 1996 - 4 JULY 1997

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF SPECIAL MEETING OF GALWAY
COUNTY COUNCIL HELD AT LUIMINAGH WATER
TREATMENT PLANT, CORRANDULLA ON 4TH JULY,
1997.**

Cathaoirleach:-

Councillor W. Burke

Baill:-

Cllrs. J. Brennan, J. Burke, W. Burke,
J. Callanan, Deputy P. Connaughton,
Cllrs. M. Cunningham, M. Fahy, P. Finnegan,
M. Finnerty, S. Gavin, T. Hussey, M. Loughnane,
J. Mannion, J. McClearn, P. McCormack, M. Mullins,
C. Ni Fhatharta, S. O'Neachtain, M. O'Neill,
P. O'Tuathail, K. Quinn, M. Regan,
M. Ryan, E. Varley & T. Walsh.

Oifigigh:-

Messrs. D. O'Donoghue, T. Kavanagh Act. Assistant
Co. Manager, Manager, T. Kavanagh, Asst. Co.
Manager, E. Lusby, County Finance Officer, E. Power
Act/ Co. Secretary, J. Collieran, Co. Engineer, Paul
Ridge S.E.E., J. Eising Project Engineer, Ms. C. O'Hara
Act. Senior Staff Officer.

Thosnaigh an crinniu leis an paidir.

At the outset of the Meeting Cllr. E. Varley welcomed the members and staff to Luiminagh. She welcomed construction of the development of the water treatment plant which would greatly enhance the quality of life of those in the area and surrounding hinterland. She stressed the need to control pollution to ensure that water quality is of a high standard. She took the opportunity to express her thanks to all of the staff and management of the Council who have assisted her in her work as a Councillor.

Deputy P. McCormack supported Cllr. Varley's comments on pollution control.

**CONSIDERATION OF REPORT OF OFFICE
ACCOMMODATION COMMITTEE HELD ON 30TH
JUNE, 1997**

4343

A Report of the Office Accommodation Committee held on 30th June, 1997 had been circulated to Members. It was noted that the Committee having considered the Report of the Architect dated 18th June, 1997, and Report of County Engineer dated 26th June, 1997, unanimously agreed to recommend to the Council that the re-development of the County Buildings be proceeded with in accordance with the plans outlined by Architect and the costs submitted to the Accommodation Committee.

Cllr. T. Hussey proposed that the Report of the Accommodation Committee dated 30th June, 1997 be adopted, that the Committee's recommendation be accepted and that the Council approve in principle the raising of a loan of £8.5m.

The proposal was seconded by Cllr. Michael Ryan and agreed by the Council.

**CONSIDERATION OF DRAFT ANNUAL REPORT
1996**

4344

On the proposal of Deputy P. Connaughton, seconded by Cllr. Quinn, the draft Annual Report was approved by the Members. Deputy Connaughton asked that the Annual Report be circulated extensively and requested details of proposed mailing list.

Cllr. S. Gavin said that the draft annual report highlighted the level of activity of the Council and the services it provided. He asked that the Report include details of local community based schemes together with contact names of persons administering these schemes. He also requested that reference be made to the work of the Council's Islands Committee.

Cllr. C. Ni Fhatharta requested that more Irish be used in Report.

Cllr. O'Neachtain requested that the Council's involvement in NASC be included also.

The County Manager advised that the mailing list for the Annual Report included all national and secondary schools, libraries and community groups. He said that details of the Council's involvement with Community Schemes and island development would be included in the Report. He also confirmed that there will be more Irish in the final draft. He also said that copies of the Local Development and Enterprise Agencies Booklet which includes details of various agencies, schemes and contact names would be forwarded to the Members.

SALE OF LAND AT SPIDDAL WEST

4345

On the proposal of Councillor O'Neachtain, seconded by Deputy McCormack, it was agreed by the members to dispose of land at Spiddal West to Joseph and Margaret Lynch in accordance with Section 83 notice dated 13.6.1997.

**CLEGGAN HARBOUR - CONSIDERATION OF
CORRESPONDENCE FROM THE DEPARTMENT
OF THE MARINE.**

4346

The Acting Co. Secretary advised the Members of correspondence from the Department of the Marine concerning a phased programme of development and renewal works with a view to improving operations and safety at Cleggan Harbour. He advised that the Council had been requested to fund 25% of the proposed works.

Cllr. J. Mannion welcomed the decision to carry out works at the pier but expressed reservations about the 25% contribution by the Local Authority.

The County Engineer said that Local Authorities are expected to contribute one quarter of the total cost for such works which would result in the Departments contribution being £191,000.

Cllr. J. Mannion said that if the harbour is being expanded that he envisaged considerable costs to maintain the harbour and asked where the Local Authority would get such finances. He also suggested that the local community be consulted in the matter.

Deputy P. McCormack welcomed the grant of £191,000. He said that while finding the additional funding would put a strain on the local authority initially, in the long-term the development of the harbour would encourage tourism and bring an increased income into the county. He proposed that Galway County Council accept the offer of the grant and agree to the 25% funding of £64,000.

Cllr. Gavin said that such developments would improve access to Inishbofin and would be welcomed by the Islands Community.

Cllr. O'Neill said that it was unfair that the Council had to provide matching funds especially as Galway County Council will be required to carry the cost of maintenance after the work has been carried out. He added that Cleggan Village had problems with regard to access to the pier and parking and said that consultation with the local community is vital to co-ordinate a plan for the development of the area.

Cllr. J. Mannion proposed that the matter be referred to the Connemara Electoral Area Committee. This proposal was seconded by Cllr. C. Ni Fhatharta. It was agreed that the Connemara Electoral Area Committee would meet in the County Buildings on July 14th, 1997.

The County Manager said that the members were being asked for approval in principle to the Department of the Marine's proposal so that the matter can proceed to the next stage.

On the proposal of Deputy P. McCormack, seconded by Cllr. Mannion, the members approved in principle the proposals by the Department of the Marine for a phased

programme of development and renewal works with a view to improving operations and safety at Cleggan Harbour.

**WASTE MANAGEMENT (LICENSING) REGULATIONS 4347
1997**

On the proposal of Cllr. P. Finnegan, seconded by Cllr. K. Quinn it was agreed to defer this item to the next Meeting.

**WASTE MANAGEMENT (PLANNING) REGULATIONS 4348
1997**

On the proposal of Cllr. P. Finnegan, seconded by Cllr. K. Quinn it was agreed to defer this item to the next Meeting.

CHAIRMAN'S BUSINESS - 4349

Barna Golf Club - Planning Application.

Cllr. Gavin asked whether there was a particular problem with the current application as members were being asked about it. The Chairman Cllr. W. Burke advised the members that a decision had been made and that the applicants had been notified accordingly..

Deputy P. McCormack expressed concern about the operation of the Planning Department and the time taken by the Council to consider planning applications. He said that Members did not have information to reply to questions from the public.

Councillor J. Burke also referred to difficulties in getting information on planning applications. He was concerned about delays in processing applications which were due to the increased numbers of planning applications being processed.

The County Manager advised that the matter would be investigated and said that Galway County Council Staff are committed to giving the best service possible but that the Council must operate within the staff numbers permitted and the funding available.

On the proposal of Deputy McCormack seconded by An Comhairleoir O'Neachtain it was agreed that a Report on Planning Applications would be put on the Agenda for the next meeting.

Travellers Settlement Committee

Cllr. T. Walsh proposed that a meeting of the Travellers Settlement Committee would be held and that a deputation from the Ballygar Community Council would be invited to attend. This was seconded by Deputy P. Connaughton and agreed.

It was agreed that a meeting of the Committee would take place on 14th July, 1997.

TOUR OF LUIMINAGH WATER TREATMENT PLANT 4350

Mr. Paul Ridge, S.E.E. made a brief presentation to the Members on the Luiminagh Treatment Plan. He highlighted the significance of this major infrastructural project for County Galway.

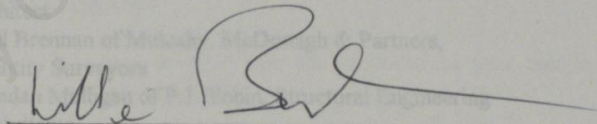
The Chairman Mr. W. Burke paid tribute to P. Ridge for his presentation.

The Members were then taken on a guided tour of the Plant.

The meeting concluded.

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Submitted, Approved + Signed:


Chairman

25th August, 1997
Date

COMHAIRLE CHONTAE NA GAILLIMHE

Minutes of Special Meeting of Galway County Council held in Committee at Luiminagh Water Treatment Plant, Corrandulla on Friday July 4th, 1997.

Cathaoirleach: Cllr. W. Burke

Councillors: Cllrs. J. Brennan, W. Burke, J. Callanan, P. Connaughton, M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. M. Mannion, J. McClearn, P. McCormack, M. Mullins, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley, T. Walsh.

Oifigigh: Messrs. D. O'Donoghue, County Manager
T. Kavanagh, A/Assistant County Manager
E. Power, A/County Secretary
J. Colleran, County Engineer
R.C. Killeen, A/Deputy County Engineer
P. Ridge, S.E.E.
J. Eising, Special Project Engineer
C. O'Hara, A/Senior Staff Officer, General Purposes

Design Team: Andre Wejchert and Paddy Fletcher, of A & D Wejchert, Architect
Noel Brennan of Mulcahy, McDonagh & Partners, Quantity Surveyors
Brendan Mulligan of P.J. Tobin, Structural Engineering Consultants

Tosnaigh an cruinniu leis an paidir.

RE-DEVELOPMENT OF COUNTY BUILDINGS 4342 - CONSIDERATION OF REPORT ON TENDERS

The County Manager confirmed that it had been agreed at the Office Accommodation Committee meeting held on June 30th, 1997, that this Council meeting would be held in Committee to discuss the report of the Office Accommodation Committee dated June 30th 1997.

The Acting County Secretary referred to the Report of the Accommodation Committee together with the Architect's Tender Report which had been circulated to Members and

Special Meeting - In-Committee - 04/07/97

advised that the Committee, having considered the Report of the Architect's dated the 18th June, 1997 and the Report of the County Engineer dated 26th June, 1997, unanimously agreed to recommend to the Council that the re-development of the County Buildings be proceeded with in accordance with the plans outlined by the Architect's and the costs submitted to the Accommodation Committee.

The Chairman asked Mr. Noel Brennan, of Mulcahy, McDonagh & Partners, Quantity Surveyors, to present the Report on Tenders to the Council.

Mr. Brennan outlined the contents of the Tender Report and gave details of the tenders submitted. He indicated that the adjusted tender for the main contract amounted to £6,965,171 which was £1,525,871 in excess of the approved December, 1996 Budget. He explained that cost increases were attributed to construction inflation and general market conditions. These cost increases represented 10% of the budget. Mr. Brennan highlighted the proposed reductions in the tender sum which amounted to £707,095. He referred the Members to Paragraph 8.1 of the Tender Report which gave a detailed break-down of the proposed reductions. He stated that the cumulative effect on the original tender of the adjustments resulted in an adjusted/reduced tender sum of £6,258,171.38 (inc. V.A.T.). Mr. Brennan indicated that negotiations would take place with the Stone Contractor in relation to the use of Ballinasloe Stone. Mr. Brennan referred the Members to Paragraph 15 of the Tender Report and stated that the adjusted tenders including the Price Variation Clause, was recommended for acceptance.

The County Finance Officer referred to the additional costs to be incurred as a result of the tenders received. He indicated that the net cost to the Council, having allowed for full recoupment of the Motor Taxation element, would increase from the 1996 figures as follows:-

Year 1	from £428,000 to £514,000
Year 2	from £460,000 to £558,000
Year 3	from £488,000 to £595,000

The average annual estimated loan cost increase over the proposed 20 year repayment period is £120,000.

He indicated that the figures were indicative of current market conditions. He informed the Members that the Council would seek the best financial package available in order to minimise the cost to the Council. He also referred to the proposed Equalisation Fund from which payments to Local Authorities would be based on their needs and resources. This arrangement may benefit Galway County Council in relation to payment of loan charges on the County Buildings Re-development.

Deputy P. Connaughton was concerned about the increase in cost and the impact of the reductions in the sum of £707,000 on the proposed building.

The County Engineer stated that the cost increases were as a result of market factors and construction inflation. He also said that the proposed reductions of £707,000 would not result in a reduction in the quality or functionality of the building and recommended the Architect's Report to the Council.

The County Manager said that it was regrettable that the project was being progressed in the present climate where buildings costs had increased substantially. Cost control measures had been put in place and the floor area of the proposed development had been cut back to effect cost savings. The Manager considered that the Council had no option but to proceed with the re-development of the County Buildings. He indicated that reductions amounting to £707,000 were considered to be the maximum reductions to be made without compromising the functionality and quality of the building. He referred to the compilation of a report on the Council's needs and resources and indicated that a study would be undertaken by the Finance Officer in this regard.

Deputy P. Connaughton asked whether it was anticipated that there would be any further increases in costs.

The County Engineer advised that any major building project is subject to contractual terms and conditions. He said that a contract may allow for cost increases during the period of the contract but this clause may be bought out. He indicated that he would recommend that the clause would be bought out.

Deputy P. Connaughton sought information in relation to the minimum and maximum increase to be imposed if the price variation clause was bought out.

Mr. Noel Brennan indicated that a contract price must be agreed before negotiations on a fixed price contract can commence. The figure to be agreed will be based on the original tender from the Main Contract of £6.5m.

Deputy McCormack stated that he was surprised that there were such increased costs involved in a project where land costs were not involved. He asked if the Council could dispose of any property to lessen the requirement and he enquired if cost reductions could be applied to the other tenders received.

The County Finance Officer advised that the Council had no property to dispose of.

The County Engineer advised that in accordance with the rules governing the tendering process the Architect is obliged to conduct negotiations with the lowest tender. He also stated that the increases in labour and materials were the same for all contractors.

Mr. N. Brennan, Quantity Surveyor advised that all contractors were requested to submit a fixed price tender but they had failed to do so.

The County Manager indicated that the Public Procurement Procedures were being adhered to in relation to tenders received. This procedure allowed for negotiations with the lowest tender.

Cllr. McClearn expressed concern about the cost of the proposed development. In reply to Cllr. McClearn, Andre Wejchert of A. & D. Wejchert Architects advised that the two lowest tenders were very close in price. This is as a result of the detail of the design and Bill of Quantities compiled by the Design Team. He advised that it was his Company's

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practice to deliver its schemes as close to tender price as possible. He explained that variation in prices occurred as a result of the following:

- (1) Underdesign
- (2) Client instruction
- (3) Lack of availability of materials

He said that (1) and (2) did not apply in this instance, and that with regard to No. 3 above, it was the duty of the Architect to ensure that other materials of similar quality and price were found and used.

Cllr. T. Hussey stated that the Council had little alternative but to take on board the recommendation of the Office Accommodation Committee who had examined the proposal in great detail. He stressed the need to have the work carried out as quickly as possible and thereby possibly reducing further costs. He said that it was important that the Council have a new building for its Headquarters which was both serviceable and one which the Council could be proud of. He proposed that the Council accept the Recommendation of the Accommodation Committee, subject to reaching an agreement on a fixed price contract. This was seconded by Councillor Ryan.

Cllr. J. Burke queried whether the size of the proposed building was adequate for the needs of the staff.

The County Finance Officer said that staff had been consulted on the matter and an area of 5,500 sq. metres had been agreed as the area required.

The County Manager advised that with increased use of information technology, the need for paper would be reduced. In addition alternative arrangements had been made for the storage of files etc. The new offices will also include a new Council Chamber, four party rooms, and an office for the Chairman. He informed the Members that rigorous negotiations would be held in relation to determining a fixed price before any contract would be signed or tenders accepted.

Cllr. T. Walsh asked whether the proposed building and the site itself would facilitate further expansion if it were required in the future.

The County Manager confirmed that the site was in a strategic location and that a proposed Central Library and Branch Library would be accommodated at a later stage. The building layout is such as to provide for the maximum use of the sites potential.

Cllr. P. Finnegan queried whether the Department provide funding and asked what impact this development will have on the Council's Estimates for next year and subsequent years.

The County Manager referred to the Better Local Government - A Programme for Change, in which reference is made to adequate office accommodation. He said that a number of Local Authorities had provided new offices. He advised that a study of the Council's needs and resources is fundamental to help the Council's case with the Department to get a percentage of the finance required to meet loan charges.

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The County Manager said that the sum of £250,000 had been provided in the 1997 Estimates which would go towards the costs of loan charges. He indicated that an additional £150,000 would be provided in the 1998 Estimates and that the full impact of the loan charges would be evident in 1999.

Cllr. M. O'Neill asked what provision had been made to protect the Children's graveyard.

In response to Councillor O'Neill, the County Manager advised that the children's graveyard would be enclosed and an Ecumenical Service would be held at a later stage.

The proposal that the Council accept the recommendation of the Accommodation Committee subject to reaching agreement on a fixed price contract, which was proposed by Councillor Hussey, seconded by Councillor Ryan, was agreed by the Council.

On the proposal of Deputy Paul Connaughton, seconded by Cllr. Brennan, the Council approved in principle the raising of the loan in the sum of £8.5m.

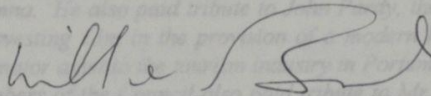
Cllr. M. Fahy concurred with the previous speakers and highlighted the need for parking facilities for public attending Council offices.

The County Manager thanked the Chairman and members for their participation and observations. He said that with regard to using Ballinasloe stone, a separate tender was received for the use of Carlow Stone. The matter would be negotiated by the Architect with the contractor, and the members will be informed of the successful tender in due course.

The County Finance Officer advised that he will commence putting the full financial package together as soon as possible.

The meeting then concluded.

Submitted, Approved + Signed:



Chairman

25th August, 1997

Date

RESOLUTION COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY
COUNTY COUNCIL HELD IN THE SHANNON OAKS
HOTEL, PORTUMNA, CO. GALWAY ON MONDAY, 23rd
JUNE, 1997**

CATHAOIRLEACH: *An Comhairleoir W. Burke*

I LATHAIR FREISIN:

Baill:

Cllrs. J. Brennan, J. Burke, T. Byrne, J. Callanan, Deputies P. Connaughton & E. O'Cuiv, Cllrs. M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. Mannion, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. M. Mullins, C. Ni Fhatharta, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Ryan, M. Regan, E. Varley & T. Walsh.

Oifigih:

Messrs. D. O'Donoghue, Co. Manager, D. Nelson, Asst. Co. Manager, T. Kavanagh, A/Asst. Co. Manager, J. Colleran, Co. Engineer, R.C. Killeen, Deputy Co. Engineer, E. Lusby, Finance Officer, E. Power, A/Co. Secretary, L. Kavanagh, S.E.E., P. Carroll, A/A.O., D. Barrett A.O., & T. Connell, S.S.O's.

Thosnaigh an crinniú leis an paidir.

The Chairman welcomed the Members and Staff to Portumna. He indicated that this was an historic occasion as it was the first time that Galway County Council held a meeting in Portumna. He also paid tribute to John Pardy, the owner of the Shannon Oaks Hotel for investing £5m in the provision of a modern hotel. He said that the hotel would be a major asset to the tourism industry in Portumna and the surrounding region. The Members of the Council also paid tribute to Mr. Pardy and wished him every success with the hotel. The Members congratulated the Chairman on completing a year as Chairman of Galway County Council. The Vice-Chairman, Senator McDonagh also paid tribute to the Chairman and said that his role as Vice-Chairman had been made easy because of the commitment to his duties demonstrated by the Chairman over the last year. The County Manager also complimented the Chairman on the manner in which he discharged his duties as Chairman and thanked him for the courtesy shown to him and the staff of the Council.

RESOLUTION

4300

Councillor McClearn referred to the recent murders of two Policemen in Lurgan which shocked and saddened many people and extended to sympathy to the Graham & Johnston families. He called on the Political Leaders to make every effort to bring about a cessation of violence. He proposed the following resolution:-

"That Galway County Council condemn unreservedly the recent murders of two Policemen in Lurgan and now call for a complete cessation of violence".

The Motion was seconded by Councillor J. Burke and agreed by the Council. Councillor J. Burke emphasised that the perpetrators of acts of violence of this nature do not represent Irish People.

Councillor Hussey agreed with the sentiments expressed and condemned the recent atrocity.

Councillor Mullins proposed that the motion be circulated to all County Councils. This was agreed by the Members.

RESOLUTION OF SYMPATHY

4301

A Resolution of Sympathy was passed with the following:-

Ms. Patricia Heneghan & Family on the death of David Heneghan. Family of Mr. John Connern, President of St. Jarlath's Credit Union, Tuam.

VOTE OF CONGRATULATIONS

4302

The Council passed a vote of Congratulations to Canon Kelly of Kilbegnet on the 60th Anniversary of his Ordination.

The Council extended its congratulations and best wishes to Mrs. Bridget Dowd, Curraghduff, New Bridge, Ballinasloe, on the occasion of her 100th Birthday.

A vote of Congratulations was passed by the Council to Carraroe Football Club on winning Comortas Peil na Gaeltachta 1997.

An Comhairleoir Ni Fhatharta referred to the European Briefing Programme which was held in Leuvin, Brussels from 14th to 18th June. She indicated that the Programme was a success and proposed that a letter of thanks be sent to the Staff in the NASC Office in Brussels for their assistance in organising the Programme. The proposal was seconded by Councillor Hussey and agreed by the Council.

MINUTES

4303

The Minutes of the Special Meeting held on 9th May, 1997 were approved by the Council and signed by the Chairman, on the proposal of Councillor Brennan, seconded by Councillor Hussey.

On the proposal of Councillor Gavin, seconded by Deputy Connaughton the Minutes of the Monthly Meeting held on 26th May, 1997 were approved by the Council and signed by the Chairman.

The Report of the Islands Committee Meeting held on 4th March, 1997 was considered. It was adopted by the Council on the proposal of Councillor Ni Fhatharta, seconded by Councillor Gavin.

The Report of the Connemara Electoral Area Committee Meeting held on 21st April, 1997 was considered. It was adopted by the Council on the proposal of Councillor Ni Fhatharta, seconded by Councillor O'Neill.

The Report of the Galway Electoral Area Committee Meeting held on 24th April, 1997 was considered. It was adopted by the Council on the proposal of Councillor Varley, seconded by Councillor Mannion.

MATTERS ARISING FROM THE MINUTES

Minute No. 4279

In relation to the above minute no., the Chairman advised the Members that the proposal was actually seconded by Deputy Connaughton and not Councillor J. Burke. The Members noted same.

Branch Library, Ballinasloe

In response to concerns expressed by the Members about recent vandalism at Ballinasloe Branch Library, the County Manager indicated that the proposal to have an alarm system installed would be examined

Infrastructure - Moycullen

Councillor Gavin expressed concern about the inadequate level of infrastructure in Moycullen and the consequential impact on development. The County Manager indicated that a Draft Action Plan would be prepared for each of the five Satellite Towns of Barna, Claregalway, Clarenbridge, Moycullen and Oranmore. He advised Members that the Draft Action Plan for Oranmore had been completed and was listed on the Agenda for consideration by the Members. Draft Plans for the other satellite towns would also be prepared and presented to the Council for consideration. Following consideration by the Council, the Draft Action Plans would be placed on public display and the same procedure as applied to the adoption of the County Development Plan would be followed.

Aughrim Interpretative Centre

The Members referred to the Meeting held on 26th May, 1997 at which they were informed of correspondence received from Ireland West Tourism concerning the termination of an agreement to operate the Centre with effect from November, 1997. Concern and disappointment with the contents of the letter was expressed.

The Members were informed by the County Manager that following correspondence between the Council and Ireland West Tourism, a meeting was scheduled to take place on 1st July, 1997 to discuss the future of the Centre. In the discussion which followed the general consensus was that the Centre should remain open. It was agreed that three Members of the Council would accompany Officials at the Meeting with Ireland West Tourism to be held on 1st July, 1997. The names of the three Members would be given to the County Secretary by the Party Whips.

Sign at Ardrahan

Councillor Fahy referred to the Minutes of Meeting held on 26th May, 1997 and to his request to have a road sign situated outside the Church of Ireland in Ardrahan relocated. The County Engineer indicated that alternative location for this sign would be sought.

Islands Development Plan

Councillor Gavin acknowledged the contribution and support of Council Officials in drawing up the Island Development Plan, which had been formally launched on Inishmaan recently. He highlighted the disappointment of the Islands Communities in relation to the level of funding being made available by the Inter-Departmental Committee on Island Development.

The County Manager indicated that the Department of the Taoiseach would be advised of the views of the Council's Islands Committee regarding the disappointing level of funding being made available for projects on Galway's Offshore Islands.

Public Light - Headford

Councillor Varley stated that it had been agreed by the Council that a public light would be provided at Sextons in Headford. As the public light had not yet been provided, she called for its provision without delay.

Traffic Calming Measures - Claregalway

In response to queries, the County Engineer indicated that additional funding to complete traffic calming measures in Claregalway had been sought from the National Roads Authority.

Pedestrian Crossing - Moycullen

Councillor Gavin proposed that an application be made to the N.R.A. that £15,000 be transferred from the N59 Moycullen Grant to facilitate the provision of a pedestrian crossing at Moycullen.

This proposal was seconded by Councillor Mannion and agreed by the Members.

**MATERIAL CONTRAVENTION OF DEVELOPMENT 4304
PLAN FOR THE SCHEDULED TOWN OF ATHENRY
PLANNING APPLICATION REFERENCE 97/719
APPLICANT: BRIDGESTONE CONSTRUCTION LTD**

The following report dated 19th June, 1997 was circulated to the Members and was detailed by the County Secretary as follows:-

"PROPOSED DEVELOPMENT: The proposal is for the construction of 57 number houses, which would be an extension to an existing residential development, presently under construction.

LOCATION: The site is located adjacent to the Athenry/Tuam Regional Road, R347, and is within the 30 mph speed limit.

ZONING: The area of the site is approximately 2.1 hectares. There is a residential zoning on part of the site with the remaining area being zoned for agriculture purposes. It is as a result of the agricultural zoning that the material contravention procedure must be implemented.

ASSESSMENT: The site is located within the 30 mph speed limit and is inside the Athenry town boundary. It is considered that the proposed development is in accordance with the proper planning and development of the area. There is no objection to the proposed development from a Sanitary Services aspect. The zoning of part of the site for agricultural purposes requires the contravening of the Athenry Town Plan.

STATUTORY CONSIDERATION: A decision to grant 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 Local Government (Planning & Development) Act 1963 as substituted by Section 39(d) of the Local Government (Planning & Development) Act 1976, as amended by Section 45 of the Local Government Act 1991.

Public notice of the Council's intention to consider deciding to grant permission was given on 24th May, 1997. The notice invited members of the public to submit representations or objections to the Council's proposal. There were no submissions received by the County Council.

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

Councillor Loughnane in proposing the material contravention stated that the application reflected the housing need which existed in Athenry. He welcomed the proposed material contravention and stated that the Council should endeavour to make more sites available for sale in Athenry town. In referring to the provision of footbridges the Councillor stated that one was required close to the site of this planning application and would be required when these houses are built. Deputy Connaughton stated that the proposed development was a vote of confidence in Athenry, adding that it was of huge significance. In congratulating the planning section in bringing forward the material contravention he expressed the hope that this would lead to further such applications. Councillor Byrne in supporting the motion noted that no objections had been lodged against the proposed development by Bridgestone Construction Limited. Councillor Callanan welcomed the proposed development and added that the Council should now look at the development of the roads both in and out of the town of Athenry. Councillor Regan stated that it was an application which was welcomed to the area and reflected the development of rural Ireland.

Councillor Loughnane proposed:-

"That having considered the Planning Application made by Bridgestone Construction Ltd. for permission for 57 no. houses as extension to development in the townland of Ballydavid South - Planning Ref. 97/719, and having considered the report by the Senior Executive Engineer, Planning on the matter, Galway County Council in accordance with the provisions of Section 26(3) of the Local Government (Planning & Development) Act, 1963, as amended by Section 39(d) of the Local Government (Planning & Development) Act, 1976, as amended by Section 45 of the Local Government Act, 1991, hereby require that a decision to grant permission be made in the case of this application."

This proposal was seconded by Councillor Mullins. A vote was then taken which resulted as follows:-

AR SON:

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, Deputies P. Connaughton & E. O'Cuiv, Cllrs. M. Cunningham, M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. Mannion, J. McClearn, Deputy McCormack, Sen. J. McDonagh, Cllrs. M. Mullins, C. Ni Fhatharta, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley & T. Walsh. (28)

IN AGHAIDH: _____

The Chairman declared the motion carried.

SALE OF HOUSE AT CAHERCRIN, ATHENRY 4305

On the proposal of Deputy Connaughton, seconded by Councillor Regan, the Council approved the sale of house at Caherclin, Athenry to Teresa and Mary Gilligan in accordance with Notice dated 10th June, 1997 under Section 83 of the Local Government Act, 1946 (as amended), which had been circulated to each Member.

SALE OF SITE AT ARD AOIBHINN, ATHENRY 4306

On the proposal of Deputy Connaughton, seconded by Councillor Regan, the Council approved the sale of site at Ard Aoibhinn, Athenry to Michael and Noreen Quinn in accordance with Notice dated 19th May, 1997 under Section 83 of the Local Government Act, 1946 (as amended), which had been circulated to each Member.

AUDITORS REPORT FOR YEAR ENDED 31/12/1995 4307

On the proposal of Councillor Mannion, seconded by Councillor Ni Fhatharta, the Auditors Report for year ended 31st December, 1995 was noted by the Council.

DECLARATION OF ROADS TO BE PUBLIC ROADS 4308

Having complied with the Provisions of Section 11 of the Roads Act, 1993 and on the proposal of Deputy McCormack, seconded by Deputy O'Cuiv, the Council agreed to declare road in the Townland of Aggardbeg, Gort to be a public road. The road taken in charge commences at junction with Local Road L8568 and extending north for a distance of 359 metres.

Having complied with the Provisions of Section 11 of the Roads Act, 1993 and on the proposal of Deputy McCormack, seconded by Deputy O'Cuiv, the Council agreed to declare road in the Townland of Bunnakill, Oughterard to be a public road. The road taken in charge commences at junction with N59 and extending north for a distance of 150 metres.

Having complied with the Provisions of Section 11 of the Roads Act, 1993 and on the proposal of Deputy McCormack, seconded by Deputy O'Cuiv, the Council agreed to declare road in the Townland of Lealetter, Oughterard to be a public road. The road taken in charge commences at junction with LT 13202 and extending Southwards for a distance of 40 metres.

In the discussion which followed, An Comhairleoir O'Tuathail sought a map on which the (a) public roads, (b) Na-Boithre Aise would be shown. He also sought details of the roads which were proposed to be taken in charge by the Council. He proposed that Scéim na Boithre Aise be re-instated. This proposal was seconded by Deputy O'Cuiv and agreed by the Council. Deputy O'Cuiv also sought a report on Local Improvement Scheme Roads not taken in charge by the Council.

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) 4309 REGULATIONS

The Members had been circulated with Report dated 16th June, 1997 regarding the construction of three dwelling houses and renovation of existing dwelling house together with effluent treatment facilities at Capira, Portumna, Co. Galway.

On the proposal of Councillor Brennan, seconded by Councillor J. Burke the Council noted the Report.

In response to queries, the Assistant County Manager indicated that a wall would be erected around the perimeter of the proposed development.

ORANMORE DRAFT ACTION PLAN

4310

Councillor Loughnane in proposing the adoption of the Draft Oranmore Action Plan as a draft variation of the County Development Plan referred to the housing densities included in the document. He stated that the local demand was for 6 houses to the acre with 15% open space. He felt that this requirement should be embodied in the final plan. He added that he had attended local meetings in Oranmore and that a sub-committee of the Oranmore Community was liaising with the County Council. The Councillor stated that there was great demand for the provision of amenity facilities in the village together with car parking requirements. He added that lands should be procured for these activities. In reference to the Dublin Road he stated that footpaths were required together with additional car parking. In regard to the Maree Road he requested that this road should be upgraded as development intensifies in the area and that a library service was required in the village. Councillor Byrne stated that the Draft Action Plan for Oranmore was overdue as the village was an obvious location for expansion of Galway City. He added that it was important that proper planning and development be carried out in the village and in referring to the community in Oranmore he stated that they represented a good example of co-operation between the Council, Councillors and local people. He stated that the Draft Action Plan was a good plan and that at the area committee meeting the members had urged that the Plan be put on public display as soon as possible. Councillor Byrne seconded Councillor Loughnane's proposal. Deputy O'Cuiv in referring to pages 21 and 22 of the Draft Action Plan stated that he favoured lower density of houses. He added that there was a great demand for houses resulting in the rapid growth of the village. Where development was contained this would result in the increased price of land. If the Council was liberal on its zonings would it be possible to contain development within the zoned areas where adequate services were provided. He felt that if Oranmore gets its population target of 5,000 there would be further pressure for development which would result in the over-development of the village. Deputy McCormack welcomed the publication of the Draft Action Plan. He requested to know the status of this draft plan with regard to the new County Development Plan which had recently being adopted.

In relation to the roundabout on the Dublin Road at Oranmore he stated that this

location should be landscaped. Referring to the sewerage infrastructural facilities in Oranmore he requested to know what was the current position in regard to the provision of a sewerage scheme. Councillor Cunningham welcomed the Action Plan and stated that the question of a library facility must be addressed for Oranmore. Councillor Fahy welcomed the publication of the Draft Plan and stated that Oranmore was an area where the population was growing at a very fast pace. He suggested that provision be made in the village for a funeral parlour and planning permission be granted for such a development. He proposed that a premises be included in the Draft Plan as an urgent need existed. Councillor Gavin referred to the restoration of the old church in Oranmore and that its use as a library should be investigated. Councillor Quinn in welcoming the Draft Plan congratulated the people of Oranmore on the restoration of St. Mary's Church. Councillor Byrne stated that a need for a library service existed in the village of Oranmore. It was agreed by the Members that the provision of a Branch Library in Oranmore be referred to the Library Committee. The County Manager stated that it was part of the strategy of the County Council to plan the development of the villages and towns surrounding Galway City. Oranmore was the first village on which an Action Plan had been prepared. The Draft Barna Plan had been commenced with the draft document being examined by the planning staff at present. The County Council would like to have more resources available in the preparation of such plans which provide for the proper planning and development of the county's villages and towns. He added that the residential options were set out in the Action Plan. There was a good community spirit in the village and representatives from the community had been involved in the preparation of the Action Plan. In regard to the provision of a library service this matter will be examined. The provision of car parking would depend on the roadworks scheme he advised the members. The County Manager stated that the adoption of the Draft Oranmore Action Plan would constitute a proposed variation of the County Development Plan and that the area committee had approved the plan. The next step was to put the Plan on public display. In regard to the provision of a sewerage scheme for Oranmore he advised the members that a tender for the preparation of the scheme for Oranmore was accepted by the County Council in 1995. However, the provision of such a scheme was related to the provision of a sewerage system for Galway City. The County Council had written to the Department on a number of occasions in connection with the Oranmore Sewerage Scheme.

**PRESENTATION BY WEST OF IRELAND HOLIDAYS 4311
LTD.**

Mr. Joe Gilmore of West of Ireland Holidays Ltd. gave a presentation on the activities of the new tourism marketing company. He stated that the company's objective was to increase direct international visitor numbers into Knock International Airport to 500,000 visitors in 2003. He indicated that he was seeking a contribution of £6,500 per annum from Galway County Council for a 5 year period from 1997 to 2003 for this Project.

The Chairman complimented Mr. Gilmore on his presentation and proposed that the Council contribute £6,500 per annum for five years to West of Ireland Holidays Ltd.

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This proposal was seconded by Councillor Finnegan. A general discussion followed in which concern was expressed about the implications of making a contribution towards the marketing of Knock Airport, having regard to Shannon Airport and Galway Airport which also provide services for the Galway region. In response to queries, concerning local authority representation on the Board of the Company, Mr. Gilmore stated that the company would welcome an active partnership among tourist interests.

The County Manager stated that the objective of the marketing company was to attract more tourists to the region. He indicated that £6,000 had been provided in the 1997 estimates for Knock Airport.

The Members agreed to defer consideration of the matter to the next meeting.

**TO NOTE WASTE MANAGEMENT (LICENSING) 4312
REGULATIONS 1997**

The Members agreed to defer this item to the next Meeting.

**TO NOTE WASTE MANAGEMENT (PLANNING) 4313
REGULATIONS 1997**

The Members agreed to defer this item to the next Meeting.

**TO NOTE LOCAL GOVERNMENT FINANCIAL 4314
PROVISIONS ACT, 1997**

The Members agreed to defer full consideration of this item to the next Meeting. However the Manager indicated that the Council would be undertaking an examination of needs and resources in order to make a case for the allocation of funds from the Equalisation Fund. A report will be prepared for the Council's consideration.

NOTICE OF MOTIONS

**N.O.M. NO. 16 - FOHENAGH GRAVE YARD - CLLR. 4315
J. BRENNAN**

The following written reply was given to Councillor Brennan:-

"I am to inform you that it is proposed to commence work on the preparation of a Burial Ground Strategy for the County in the current year. In preparing this

Strategy, consideration will be given to the issue raised in the above Notice of Motion.

The following written reply was given to Councillor Fahy:-
I would like to point out that as part of the 1997 Environment Campaign, the Council introduced a Burial Grounds Maintenance Grant in order to support local communities involved in the maintenance of burial grounds. Fohenagh Community Council have submitted an application for this grant and it is being considered at present."

N.O.M. NO. 17 - PUBLIC LIGHTS - CLLR. M. CUNNINGHAM 4316

The following written reply was given to Councillor Cunningham:-

"This location has not been included in the 1997 Public Lighting Programme agreed by the Council. It will be considered when the 1998 Programme is being prepared".

N.O.M. NO. 18 - ROAMING HORSES - CLLR. M. CUNNINGHAM 4317

The following written reply was given to Councillor Cunningham:-

"Galway County Council endeavours to remove roaming horses from its housing estates. The horses are then impounded and not returned to the owners until the pound fees have been paid."

N.O.M. NO. 19 - STRAY DOGS - CLLR. M. CUNNINGHAM 4318

The following written reply was given to Councillor Cunningham:-

"I wish to inform you that the Council's Dog Warden visited the Crow Street area, and did not find/locate any stray dogs. However, upon receipt of further information, the Dog Warden will revisit the area and investigate same."

N.O.M. NO. 20 - FLOODING - CLLR. M. FAHY 4319

The following written reply was given to Councillor Fahy:-

"It is hoped to carry out remedial works at this location towards the end of the year."

N.O.M. NO. 21 - ROAD WORKS - CLLR. M. FAHY 4320

The following written reply was given to Councillor Fahy:-

"No provision for this work has been made in the 1997 Roadworks Programme".

N.O.M. NO. 22 - PETERSWELL G.W.S. - CLLR. M. FAHY 4321

The following written reply was given to Councillor Fahy:-

"I am to inform you that the Department of the Environment has confirmed that the scheme design has not yet been submitted by the Consulting Engineer appointed by the Group.

As the administration of Group Schemes has been devolved to local authorities, this design should be forwarded to Galway County Council when it has been prepared."

N.O.M. NO. 23 - MOYCULLEN VILLAGE - CLLR. S. GAVIN 4322

The following written reply was given to Councillor Gavin:-

"It is an objective of the recently adopted County Development Plan, to prepare action plans for the satellite towns and villages of Galway City. This objective is presently being implemented. The Draft Oranmore Action Plan will be published within a short period and a draft has been prepared of the Barna Action Plan. The other villages of Moycullen, Claregalway, Clarinbridge and Spiddal will then be examined."

N.O.M. NO. 24 - ROAD MAINTENANCE - CLLR. S. GAVIN 4323

The following written reply was given to Councillor Gavin:-

"These roads will be repaired in the course of routine road maintenance."

N.O.M. NO. 25 - SIGNS - CLLR S. GAVIN 4324

The following written reply was given to Councillor Gavin:-

"This is quite a wide junction. The relocation of the sign as proposed would obscure the junction somewhat. The situation will be monitored."

N.O.M. NO. 26 - FOOTBRIDGES - CLLR. M. LOUGHNANE 4325

The following written reply was given to Councillor Loughnane:-

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

N.O.M. NO. 27 - BRIDGE - CLLR. M. LOUGHNANE 4326

The following written reply was given to Councillor Loughnane:-

"There are no funds provided in the 1997 Roadworks Programme to carry out this work."

N.O.M. NO. 28 - ROAD WORKS - CLLR. M. LOUGHNANE 4327

The following written reply was given to Councillor Loughnane:-

"The estimated cost of the necessary work would amount to £5,500. There are no funds available to carry out this work. It would be a suitable project on which to expend Notice of Motion funds."

N.O.M. NO. 29 - ROAD SAFETY MEASURES - SEN. J. MCDONAGH 4328

The following written reply was given to Senator McDonagh:-

"This junction will be examined by our Design Team to ascertain what measures are required."

N.O.M. NO. 30 - ROAD SAFETY MEASURES - SEN. J. MCDONAGH 4329

The following written reply was given to Senator McDonagh:-

"The location will be examined by our Design Team with a view to establishing what measures are necessary."

N.O.M. NO. 31 - DRAINAGE - SEN. J. MCDONAGH 4330

The following written reply was given to Senator McDonagh:-

"The estimated cost of the work is £14,520. It is hoped to carry out the work on a phased basis starting this year. This project would be a suitable one on which to expend Notice of Motion funds."

N.O.M. NO. 32 - BOTHAR - AN COMH. C. NI FHATHARTA 4331

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Déanfar obair deisiúchain ar dhromcha an bhóthar sa láthair seo i gceann cúpla seachtain."

N.O.M. NO. 33 - SOLAS - AN COMH. C. NI FHATHARTA 4332

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

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"Níl an láthair seo ar an gclár soilse poiblí i mbliana. Breanófar ar an gcás seo arís nuair atá an chlár á ullmhú do 1998."

N.O.M. NO. 34 - BOTHAR - AN COMH. C. NI FHATHARTA 4333

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Déanfar gnáth obair deisiuchán ar an mbóthar seo; níl a dhóthain airgead ar fáil faoi láthair chun feabhas mór a chuir air i mbliana."

N.O.M. NO. 35 - ROAD MAINTENANCE - DEPUTY E. O'CUIV 4334

The following written reply was given to Deputy O'Cuiv:-

"Routine maintenance will be carried out on this road in the near future."

N.O.M. NO. 36 - ROAD WORKS - DEPUTY E. O'CUIV 4335

The following written reply was given to Deputy O'Cuiv:-

"The estimated cost of remedial work would be around £2,500. There are no funds available at present to carry out the work. This would be a suitable project on which to expend Notice of Motion funds."

N.O.M. NO. 37 - LETTERGESH ROAD - DEPUTY E. O'CUIV 4336

The following written reply was given to Deputy O'Cuiv:-

"This road will be considered when the 1998 Roadworks Programme is being compiled"

N.O.M. NO. 38 - OBAIR DRAENEALA - AN COMH. S. O'NEACHTAIN 4337

Seo leanas an freagra a tugadh do'n Comhairleoir O'Neachtain:-

"Táimid ag scrúdú an scéal agus cuirfear freagra chugat go luath."

N.O.M. NO. 39 - ROAD WORKS - CLLR. S. O'NEACHTAIN 4338

The following written reply was given to Councillor O'Neachtain:-

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"This is a T-Junction onto N18 and would require major vertical alignment of the N18 to the north of the junction. This would be a major project for which there are no funds available at present."

N.O.M. NO. 40 - ROAD RESURFACING - CLLR. P. O'SULLIVAN:- 4339

The following written reply was given to Councillor O'Sullivan:-

"This road is not included for resurfacing in the 1997 Roadworks Programme. Minor repairs will be carried out in the near future."

N.O.M. NO. 41 - FOOTPATH - CLLR. P. O'SULLIVAN 4340

The following written reply was given to Councillor O'Sullivan:-

"Considerable funds were expended on footpaths in Castleblakeney last year. There is a grass margin at the location at present. A footpath would cost in the region of £10,000 and is not considered a priority in the light of other demands on limited funds."

N.O.M. NO. 42 - FLOODING - CLLR. P. O'SULLIVAN 4341

The following written reply was given to Councillor O'Sullivan:-

"The road in question is in the Urban area and, therefore, not a matter for Galway County Council. A copy of your letter has been sent to the Town Clerk, Ballinasloe U.D.C."

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted Approved + Signed:

Billie Biv

Chairman

28th July, 1997

DATE

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY BUILDINGS, GALWAY ON FRIDAY, 13TH JUNE, 1997

REGISTER OF ELECTORS

4290

Cathaoirleach:-

Councillor W. Burke

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

Oifigigh:-

Messrs. D. O'Donoghue, Co. Manager, T. Kavanagh, A/Asst. Co. Manager, D. Barrett, A/Co. Secretary, J. Colleran, Co. Engineer, J. Eising, Project Engineer, L. Kavanagh, S.E.E., A. Comer, Planner, C. O'Hara, A/S.S.O., Mary Flynn, Executive Planner, T. Connell, S.S.O., M. Dolly S.E.E., & E. Hourigan, A/S.O.

Thosnaigh an crinniu leis an paidir.

RESOLUTION OF SYMPATHY

4288

A Resolution of Sympathy was passed with the following:-

Mrs. T. Larkin, Brackernagh, Ballinasloe, Co. Galway.

Mrs. Kelly, Parkroe, Milltown, Co. Galway.

VOTE OF CONGRATULATIONS

4289

The Chairman, on behalf of the members and on his own behalf congratulated the existing Dail Deputies on being re-elected and commiserated with those candidates who were unsuccessful in the recent General Election and wished them well for the future.

The members present who had been candidates in the General Election each thanked the Chairman and expressed thanks to their families, friends, canvassers and all who had supported them.

The manager on behalf of the staff, and on his own behalf said he wished to be associated with the good wishes expressed by the Chairman.

REGISTER OF ELECTORS

4290

Cllr. T. Walsh raised the issue of people being removed from the Register of Electors. He highlighted the case of one family in the Glenamaddy area whereby all six members of the family, who are presently studying at various colleges in the Country, were removed from the Register and hence not able to vote. He also said that in some cases people had two polling cards. Cllr. Walsh stated that where there is a request to remove names from the register, and a decision is taken that a name should not be on the Register, the individual involved should be contacted and afforded an opportunity to defend being left on the Register. Cllr. Walsh proposed that people be contacted prior to being removed from the Register of Electors. Cllr. McHugh seconded Cllr. Walsh's proposal and stated that in fairness, where individuals had a vote in the previous election, it is reasonable for them to assume that they are still on the register.

Cllr. Gavin agreed stating that there were problems with the Register with some people in the Moycullen, arriving at the Polling Booths with two polling cards, and in one case, the Presiding Officer did not have the Supplementary Register. Cllr. Gavin pointed out that the transfer of votes can be crucial during an election and the problems that arose must be addressed.

Cllr. Finnerty proposed a vote of congratulations to the staff and in particular Ms. Cathy Naughton, for the work involved in preparing the Register and Supplementary Registers. He stated that it is everyone's responsibility to check that their name is on the current Register of Electors, and if not on the register, they may be included in the Supplementary Register, subject to certain criteria. He wished to point out that 923 names were included on the Supplementary Register for East Galway, alone.

Deputy Connaughton requested that this item be placed on the Agenda for the next Council meeting. In the case of the Supplementary Register, he said that the inclusion of 1563 names in a matter of days was a great achievement. He suggested that some of the problems in relation to the register may have to be addressed at National level.

Cllr. J. McClearn, said that this item was raised at the last Loughrea Area Committee meeting. He stated that there were difficulties in the whole operation of the Register and in his view the fault did not lie with Galway County Council. He expressed concern that the persons compiling the Register were not making enough effort to contact the people of the area, and stated that the role of the compilers should be clearly defined.

Cllr. Callanan highlighted problems associated with votes being transferred from West to East Galway and in particular voters in the Cahercrin, Craughwell, Athenry, and Gort areas. The distance involved in some areas had inconvenienced people.

Deputy McCormack, agreed that complications arose due to the revision of constituencies. He stated that greater attention should have been paid to the polling stations that were sub-divided. He said that, in some instances, there were no registers in some polling boxes. He requested that in future a briefing session be held between Council Staff and County Registrars Staff and Presiding Officers, etc. He queried the checking procedures between other local authorities in order to determine whether people were on the Registers already.

Cllr. O'Neachtain concurred with the comments made. He stated the Supplementary Register was issued very late, and is open to abuse in some instances. The short time allowed for the Supplementary Register, may give problems in checking individuals dates of births, etc. Cllr. O'Neachtain requested that in future the jobs at Polling booths be given to people who are unemployed or on low wages rather than people working or retired on good pensions.

Mr. D. O'Donoghue, County Manager, thanked the members for their comments and tributes to the staff. He said that a detailed report on the issues raised will be prepared for the July monthly meeting. Mr. O'Donoghue informed the members that the conduct of a General Election is the responsibility of the returning officer, in this case the County Registrar. Galway County Council consulted with the County Register over the past few months regarding the Register. There are approx. 100,000 names are on the Register of Electors for the County Galway Area, and it is always the Councils aim to maintain the accuracy of the Register. The procedure for the compilation of the Register each year is well advertised in the media. The Supplementary Registers were prepared and supplied to the County Registrar on the Tuesday prior to the election.

PRESENTATION BY MR. MICHAEL CANNEY 4291

The Chairman welcomed Mr. Michael Canney of the National Parks and Wildlife Services to the Meeting.

Mr. Canney thanked the Chairman and Members for opportunity to discuss the Special Areas of Conservation and Special Protection Areas and how to affect a partnership approach to the preservation of these areas. He introduced members of his staff who have special responsibility for County Galway, namely:-

- Dr. Noel Kirby - West Galway
- Mr. Tim O'Connell - Galway East
- Mr. Enda Mooney - Deputy Regional Manager who is based in Clare

Mr. Canney stated that the E.U. made a Directive in 1992 which put a requirement on all Member States to protect the best habitats in their respective Countries. Ireland brought this Directive into law last February. In March, the National Parks and Wildlife Services published proposals setting out areas for conservation. Mr. Canney said that in-depth discussions/consultations were held at organisational level with the I.F.A., I.C.M.S.A., and the United Farmers Association and agreement was reached on procedures for preservation and levels of conservation.

The National Parks and Wildlife Services published maps of the areas. A copy of the maps were lodged with Teagasc and Galway County Council, with a view to obtaining the public's views regarding the designated areas. Public meetings were held in order to consult and advise the landowners affected by the Special Areas of Conservation (S.A.C.'s) and Special Protection Areas (S.P.A.'s). The National Parks and Wildlife Services has written to all known landowners who might be affected by the S.A.C.'s and S.P.A.'s. The Rangers have visited the Farmers in order to reach a compromise, and where agreement cannot be reached, the Farmer can appeal to a formally constituted Advisory Board. A three month period of appeal had been allowed for, however, this period has been extended to the end of July, 1997.

The Appeal Board is made up as follows:- 2 Farmers, 2 Conservationists and an independent Chairperson. The Minister accepts the recommendations of the Advisory Board.

Mr. Canney said that one of the problems facing the National Parks and Wildlife Services is trying to contact landowners where land is not registered, or where the registration is not up to date. He stated that there are a lot of mis-conceptions/mis-information in relation to S.A.C.'s and S.P.A.'s. Notifiable activity is not banned activity but something that could cause problems and therefore it is necessary for the National parks & Wildlife Service to have a look at it and each case is examined on its merits. Information packs are available to farmers on the matter.

When an area has been designated either a Natural Heritage Area, a Special Area of Conservation or a Special Protection Area, the owner has two options for compensation - (a) join the REPs Scheme with the Department of Agriculture or (b) apply for compensation based on actual losses. An extra £15.00 is available under the REPS Scheme for farmers in S.A.C.'s. Where there is no agreement as to compensation under Option (b) there is provision for independent arbitration.

He explained the Differences between N.H.A.'s and S.A.C.'s and S.P.A.'s is as follows:-

S.A.C.'s These arise from an E.U. Directive enacted into Irish Law and compliance is compulsory.

N.H.A.'s These are non-statutory and the National Parks and Wildlife Service cannot stop development in such areas at present. They can only advise in relation to development.

S.P.A.'s

These are much less strict and Mr. Canney gave as an example the protection of birds in Galway Bay. The National Parks and Wildlife Service would prevent anything that would harm the birds in the area but it is not concerned about the vegetation. He stated that the National Parks and Wildlife Service has no objection to the proposed development by Galway Corporation on Mutton Island.

Mr. Canney welcomed Galway County Council's new Development Plan and said that he was pleased to note that the Council had regard to Natural Heritage Areas in the Plan. He asked to be consulted in relation to all N.H.A.'s and indicated that the National Parks and Wildlife Service would take a pragmatic approach to development proposals in such areas.

The following queries were raised by the members.

Deputy Connaughton stated that the introduction of S.A.C.'s is a very complex issue. In many cases, this scheme is a reversal of what people did over the years. People view these schemes as confusing and a threat onto their way of life.

Documentation

Deputy O'Cuiv stated that the biggest area of contention in relation to these schemes is access to information. He stated that he requested information i.e. 6 maps, which he is entitled to as a public representative, but has not received same to-date. He also stated that the literature issued to farmers/landowners is quite mind-boggling and proceeded to describe details issued. Deputy O'Cuiv said that the problem does not lie with conservation but with the bureaucracy involved. He said that landowners will be ruled by dictat, not by consultation and rules can be changed on a whim.

Mr. Canney replied stating that the documentation issued to the landowners/farmers is very complex and may be difficult to follow and understand. He stated that his Staff are more than willing to discuss and explain various items to individuals concerned, and does not accept that the schemes are being introduced by dictat.

Raised Bogs

Deputy Connaughton said that this is a serious problem in East Galway. People, traditionally, like to cut their own turf. When this Directive is applied, people will not be able to carry out this activity. He requested that this question be re-addressed and that people be permitted to cut a small amount of turf from own bogs on a yearly basis, or that the S.A.C.'s be introduced on a phased basis.

Mr. Canney said that in accordance with the Cap Reform there is no market for land reclamation any more. He said that there are approx. 300,000 hectares of raised bog in the country of which 6%/7% is being protected. The problems outlined are on a national scale and not just confined to County Galway. He said that the turf-cutting

has not been stopped this year, as the National Parks and Wildlife Service are trying to establish a list of the people involved in same.

Harvesting of Seaweed

Councillor Gavin said that seaweed harvesting is a way of life and tradition in many areas. He requested clarification, from an industrial point of view, as to a situation that might arise where market trends dictate demand for products, resulting in over-harvesting of sea-weed. He enquired if there would be a right to compensation where harvesting is curtailed.

Mr. Canney said that the National Parks and Wildlife Services wishes to know where such activity is taking place. There is no intention to prevent people from collecting sea-weed, except where this occurs at an unacceptable level. Mr. Canney stated that it is not possible at this time, to give an answer regarding compensation.

REPs Scheme

Mr. Canney briefly outlined the REP's Scheme. He said that where a Farmer chooses to join REP's, he/she will be eligible for an additional payment if land is in a designated N.H.A., S.A.C. or S.P.A. These areas must be taken into consideration when a Farmer prepares a Farm Management Plan for his/her land. Where a Farmer does not join the REP's Scheme, a Farm Management Plan will be prepared by the National Parks and Wildlife Services.

Deputy O'Cuiv said that approx. 600 Farmers only in the Connemara area are in the REP's scheme. The reason most Farmers are not joining this scheme is because of the bureaucracy involved for elderly people.

Deputy O'Cuiv queried the number of appeals received by the National Parks and Wildlife Service to-date. He said that there is a lot of resentment on the ground in relation to S.A.C.'s and S.P.A.'s. He said that small Farmers do not have the resources to pursue appeals or negotiate compensation. He asked if farmers could be compensated for loss of grants due to inability to undertake certain, normally grant aided, activities and if people in limestone areas would be compensated for the potential value of quarries which could not be opened.

Mr. Canney stated that it was difficult to put an exact figure on the number going through for formal appeal. He said it was not proposed to compensate anybody for not being eligible for a grant and that, while compensation would be paid a reduction in the value of land, no compensation would be payable for the potential value of an unopened quarry.

An Comhairleoir O'Neachtain said that a balanced approach must be taken by the Department in implementing these schemes, and the feelings on the ground should be considered. He stated that in regard to the appeal system, it must seem to be clear, simple and transparent.

Flooding

Councillor Callanan highlighted future flooding problems that may occur especially in the Gort area as a result of drainage of certain lands being prevented by the National Parks and Wildlife Services.

Mr. Canney stated that the O.P.W. is finalising an Environmental Impact Assessment in relation to flooding to the Gort Area.

Funding

Councillor Callanan queried the compensation arrangements awarded under the REP's scheme and funding of same.

Mr. Canney said that the expected funding of compensation payable under the S.A.C.'s and REP's schemes is in the region of £20m but the E.U. funding has not yet been finalized.

Leenane Roadworks

Deputy O'Cuiv stated that the stopping of works being carried out by Galway County Council on the Leenane/Clifden Road is inexcusable. This work is vital for the safety of all road users in the area. He said that this action only strengthened people's beliefs that if the works of Galway County Council can be stopped, there is little hope for an ordinary individual. Deputy McCormack agreed with sentiments expressed regarding the Leenane Roadworks.

Mr. Canney said that the O.P.W. had objected to the roadworks because the Council were removing rocks from high up hills which was damaging to the environment in a Natural Habitat. He stated that following discussions with Council's Engineers, it has been agreed to take boulders from another area.

The County Engineer stated that he had held discussions with the National Parks and Wildlife Service earlier in the day and it had been agreed to meet with them on the ground in the next week in order to settle the matter.

Deputy O'Cuiv replied stating that this is a very difficult stretch of road for widening. He stated that it was essential that these rocks are not taken from outside the area as this would increase costs in terms of damage to the roads. Deputy O'Cuiv stated that he protested in the strongest possible terms and stated that it was not right for outside agencies to dictate to the Local Authorities what they should do. Councillor Gavin agreed with these sentiments.

Deputy McCormack stated that farming has a contribution to make to wildlife habitats and that the development of golf courses throughout the country has also helped the wildlife and proves that human activities can enhance habitats. Deputy McCormack welcomed Mr. Canney's statement in relation to Mutton Island.

Mr. Canney thanked the Chairman and members for their interest in the matters discussed and expressed a wish to meet with the Council's Officials on a regular basis if possible. The Chairman, on behalf of the Members and on his own behalf thanked Mr. Canney and his colleagues for attending the meeting and complimented Mr. Canney on his presentation.

PROVISION OF SINGLE RURAL HOUSES AND RENOVATION TO DWELLING-HOUSE

4292

The Members were circulated with Report dated 5th June, 1997 regarding the provision of single rural houses with appropriate treatment facilities at the locations listed hereunder:-

Single Rural Houses

Cahererillan, Kinvara, Co. Galway.
Lecknabegga, Peterswell, Co. Galway.
Rosmuc (South Shore), Co. Galway.

On the proposal of Councillor Regan, seconded by Councillor Mannion, the Council agreed and noted the Report.

CASUAL TRADING BYE-LAWS

4293

Mr. T. Kavanagh, Acting Assistant County Manager said that the Draft Casual Trading Bye-Laws had been advertised and were made available for public inspection and a period allowed for submissions, as provided for under the Casual Trading Act, 1995.

Mr. Kavanagh stated that eight submissions were received and must now be considered by the Council. In one case an appeal was made to the District Court. However, this appeal has now been withdrawn. The submissions and observations were circulated to the members.

Mr. Kavanagh went through the submissions received and the observations in relation to each submission, all of which, he said, had been fully considered by the Casual Trading Bye-Laws Committee.

SUBMISSION NO. 1

FROM: Jackie Kielthy Jek Dearadh
An Sean Monarcha, Gleann Mór, an Cheathrú Rua, Co. na Gaillimhe.

RE: Clifden Casual Trading Area

Summary of Submission

Car-park too far from centre of Clifden. Fee should be related to whether product is home produced or purchased for re-sale.

Observations on Submission

There has been serious traffic congestion in the Square in Clifden arising from the increased number of casual traders operating there. Both the Council and the Chamber of Commerce feel it imperative to improve the traffic flow and to improve the appearance of the Square which is a focal point in the town. The Council has already demolished the public toilets and an Architect has been appointed to prepare a suitable plan for the Square. Alternative sites have been examined for the Casual Trading. The most suitable site available to the Council and convenient to the town is the new car-park which is proposed in the bye-laws.

In relation to fees, this Trader feels that hand-made jewellery should come under the same category as agricultural produce and fish.

SUBMISSION NO. 2

FROM: Martin Corcoran, Georges Street, Newport, Co. Mayo.
c/o James Hanley & Co., Solicitors

Summary of Submissions RE: Clifden Casual Trading Area

Moving the trading area from the Square to the car-park will reduce takings by two thirds. The cost of trading bays as between selling live-stock, agricultural produce/fish and other goods is unequal. The Casual Trading Bays are too small. Clifden is with the exception of Loughrea the only town where Traders are being moved from their present location. This Trader, his Father and Grandfather have been trading in the Square in Clifden for 150 years and should get priority over a new Casual Trader.

Maam Cross This Casual Trader and his predecessors have been trading in the Maam Cross area for 150 years. Why is Maam Cross not included in the first schedule?

Leenane This Casual Trader and his predecessors have been trading at Leenane for 150 years. Why is Leenane not included?

General Income will be severely affected as a result of the bye-laws.

Observations on Submissions:

Clifden: Observations are as set out in the case of Submission No. 1

Maam Cross

Casual Trading takes place at Maam Cross in conjunction with the mart and the October Fair. The Council is very unhappy with the situation from a road safety point of view. Having examined the location thoroughly, the Council is not prepared to recommend that Casual Trading Bays should be marked out there to enable Casual Trading take place. It is a very busy location, with large volumes of traffic and where the maximum speed limit applies. The Mart owner was approached to see if the Traders could be accommodated within the mart property but without success. The October Fair attracts huge numbers of traders and public with the result that traffic often has difficulty getting through. The October Fair will be regarded as a special event and by issuing Special Event Licenses, the Council in conjunction with the Gardai intend to affect some measure of control.

Leenane

It seems that casual trading takes place here irregularly. In order to allow it continue, it could be regarded as a special event, pending a review of the bye-laws.

SUBMISSION NO. 3

FROM: Paraic O'Sullivan, Uggool, Moycullen, Co. Galway

RE: Clifden Casual Trading Area

Summary Of Submission

Car-park is too far from the town centre. Sells trees and shrubs and provides a much needed service for over 20 years.

Observations on Submission

Observations are as set out in the case of Submission No. 1

SUBMISSION NO. 4

FROM: Maura O'Toole, Upper Glantrasna, Camus, Co. Galway

RE: Clifden Casual Trading Area

Summary of Submission

Selling home-grown organic vegetables at the Square for more than two years. Moving to the car-park would put her out of business. Licence fee is too high.

Observations on Submission

Observations set out in the case of Submission No. 1 apply. The fee for agricultural produce is at the lower rate.

SUBMISSION NO. 5

FROM: Kieran Hickland, Unit 1, D.H. Burkes, Northgate St, Athenry

RE: Athenry Casual Trading Area

Summary of Submission

Four trading bays inadequate. Want to revive the old market tradition and have the whole market area designated to include Saturday Trading. Accept that traffic levels constitute a problem which would have to be resolved.

Observations on Submission

Four bays are adequate to cater for existing traders. The inclusion of Saturday trading and extra trading bays could be considered under a review of the bye-laws.

SUBMISSION NO. 6

FROM: Brendan Fordham, Keamsellagh, Kilcolgan, Co. Galway.

RE: Clifden & Maam Cross Casual Trading Areas

Summary of Submission

This Trader has for many years being selling vegetables and potatoes from the back of their van at Clifden and Maam Cross. The car-park in Clifden is away from the centre of the town and away from the people and "will put us out of business". Trading bays in the car-park are too small. No toilets in car-park.

Observations on Submission

The observations already recorded in relation to casual trading at Clifden and Maam Cross apply in this case. The trading bays in the car-park can be increased.

SUBMISSION NO. 7

FROM: L.D. Reynolds, Garrymore, Killconnell, Ballinasloe, Co. Galway.

RE: County Galway

Summary of Submission

Has been engaged in casual trading in the fast-food market for the last two years at Fairs, Fleadhs, sporting events up and down the country. £20 for a Special Event Licence would be more expensive than the cost of a trading bay. Council not providing facilities such as bins, toilets or lighting. Unlicensed traders will continue unless inspected at week-ends. Preventing fast-food traders from opening before 10.30 a.m. is too restrictive. Suggests a "Roving" licence for fast-food traders in County Galway.

Observations on Submission

The purpose of the Casual Trading Act and Bye-Laws is to control casual trading, hence the need to licence each trading location in advance. The £20 licence fee per event is not excessive, considering the additional administrative costs etc. Under the bye-laws it is a matter for traders to dispose of refuse. Opening hours could be changed to 9.00 a.m.

SUBMISSION NO. 8

FROM: Colman Sherry, L.L.B., Solicitor, Gort, Co. Galway

RE: Gort Casual Trading Area

Summary on Submission

Concern expressed about interference with the parking of buses, Tourist Office.

Observations on Submission

It is considered that the marking out of bays will help to regularise the situation. The position can be reviewed after a twelve month trial period.

Mr. Kavanagh informed the Members of the recommendations of the Casual Trading Bye Laws Committee recommending amendments of the Draft Bye Laws as follows:

- (a) The fee of £500 for non-agricultural produce to be reduced to £400.
- (b) The area of the Trading Bays in Clifden's new car-park to be increased by 50%.
- (c) Two trading bays at the Square, Gort to be omitted. No's. 1 & 2.
- (d) The operational hours for Fast Food Traders to be changed from 10.30 a.m. - 12.00 midnight to 9.00 a.m. - 12 midnight.
- (e) On page 4, Article 8 of the Draft Bye-Laws to read:
"A person engaged in casual trading shall confine his/her operations to the allotted bay at the designated Casual Trading area and such person....."
- (f) Page 7 - Schedule to Galway County Council Casual Trading Bye-Laws 1997 - Part 1 - Areas - Description for Loughrea - West Bridge to read as follows:-
"Westbridge between Old Galway Road and Gort Road and shown outlined in red on Map No. 2 annexed hereto".

Having considered the submissions and the recommendations of the Casual Trading Committee, it was proposed by Councillor Mannion, seconded by Councillor Gavin and resolved that Galway County Council in accordance with Section 6, of the Casual Trading Act, 1995 hereby adopt the Casual Trading Bye-Laws for the County Health District of Galway, subject to the following amendments"

- (a) The fee of £500 for non-agricultural produce to be reduced to £400.
- (b) The area of the Trading Bays in Clifden's new car-park to be increased by 50%.
- (c) Two trading bays at the Square, Gort to be omitted. No's. 1 & 2.
- (d) The operational hours for Fast Food Traders to be changed from 10.30 a.m. - 12.00 midnight to 9.00 a.m. - 12 midnight.
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- (f) Page 7 - Schedule to Galway County Council Casual Trading Bye-Laws 1997 - Part 1 - Areas - Description for Loughrea - West Bridge to read as follows:-
"Westbridge between Old Galway Road and Gort Road and shown outlined in red on Map No. 2 annexed hereto".

It was further proposed by Councillor Mannion, seconded by Councillor Gavin and resolved that the Casual Trading Bye-Laws shall come into effect on 1st July, 1997.

MANAGER'S BUSINESS

4298

Administrative Committee Meeting

TO NOTE WASTE MANAGEMENT (LICENSING) REGULATIONS 1997 (S.I. NO. 133 OF 1997) 4294

The members agreed to defer the above item to the next meeting.

TO NOTE WASTE MANAGEMENT (PLANNING) REGULATIONS 1997 4295

The members agreed to defer the above item to the next meeting.

TO NOTE LOCAL GOVERNMENT (FINANCIAL PROVISIONS) ACT, 1997 4296

The members agreed to defer the above item to the next meeting.

Annual Conference of General Council of County Councils - Limerick - 17th to 19th July, 1997 4297

On the proposal of Councillor Mannion, seconded by Councillor Callanan, the Council agreed that the following Members be nominated and approved to attend the above mentioned conference. The recommendation of the Finance Committee was noted. Details of the estimated costs were given to the Members in accordance with D.O.E. Circular dated 17th December, 1993:-

Cllr. E. Varley

Sen. J. McDonagh

Cllr. T. Walsh

Deputy P. Connaughton

Cllr. J. Callanan

Cllr. T. Byrne

Cllr. P. McHugh

Cllr. T. Hussey

Cllr. M. Cunningham

Cllr. M. Finnerty

Deputy P. McCormack

Cllr. M. O'Neill

Cllr. P. O'Sullivan

Cllr. K. Quinn

Cllr. P. Finnegan

Cllr. M. Regan

MANAGER'S BUSINESS

4298

Accommodation Committee Meeting

TO NOTE WASTE MANAGEMENT (LICENSING) REGULATIONS 1997 (S.I. NO. 133 OF 1997) 4294

The members agreed to defer the above item to the next meeting.

TO NOTE WASTE MANAGEMENT (PLANNING) REGULATIONS 1997 4295

The members agreed to defer the above item to the next meeting.

TO NOTE LOCAL GOVERNMENT (FINANCIAL PROVISIONS) ACT, 1997 4296

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Recommendation for Former Members of Galway County Council

- | | |
|-----------------------|---------------------|
| Cllr. E. Varley | Cllr. M. Cunningham |
| Sen. J. McDonagh | Cllr. M. Finnerty |
| Cllr. T. Walsh | Deputy P. McCormack |
| Deputy P. Connaughton | Cllr. M. O'Neill |
| Cllr. J. Callanan | Cllr. P. O'Sullivan |
| Cllr. T. Byrne | Cllr. K. Quinn |
| Cllr. P. McHugh | Cllr. P. Finnegan |
| Cllr. T. Hussey | Cllr. M. Regan |

MANAGER'S BUSINESS

4298

Accommodation Committee Meeting

The County Manager informed the Members that the tenders for the new Council Offices had been received. He said the Architect would evaluate the tenders and forward a report in relation to the budget costs and tenders received. It was proposed by Councillor Mannion, seconded by Councillor Regan and agreed that a meeting of the Accommodation Committee would be held on Monday, 30th June at 3.00 p.m. in the County Buildings to consider the Architect's report.

Special Meeting of 11th July, 1997

It was agreed that the Special Meeting originally proposed to be held on 11th July, 1997 at Luiminagh be brought forward to the 4th July, 1997.

Metered Water Supplies

Mr. Lusby, Finance Officer referred to the Programme for the metering of certain water supplies in the interests of water conservation and informed the members that as a result of the success of the programme, it had been possible to reduce the cost of metered supplies from £2.94 to £2.00 per 1000 gallons. Members welcomed this development.

CHAIRMAN'S BUSINESS

4299

Over-hanging Branches

Councillor Gavin requested that the problem of over-hanging branches on secondary and local roads be examined. He stated that bus drivers using these roads had complained to him of traffic hazards occasioned by buses having to cross the centre line of such roads to avoid the branches.

Reception for Former Members of Galway County Council

The Chairman, on behalf of the Members and on his own behalf, welcomed the former Members of Galway County Council to a reception to mark the pending departure of the Council from its present Headquarters at Prospect Hill. He stated that the existing building is to be demolished and replaced by new offices which would be opened in 1999 to coincide with the centenary of Galway County Council. He said that all former and serving members of the County Council would have their memories of the County Buildings which had been the Council's headquarters for 98 years and which had changed little in that time. It was not before time, therefore, that new headquarters were being provided, particularly for the Council's staff who had demonstrated their commitment to providing quality services to the public in such

difficult circumstances. He said that the proposed new building would be to a design appropriate to the second largest County Council in the State and he thanked the members for their decision to undertake the project and the County Manager promoting it. He also expressed thanks to the members and to the C.E.O. of the Western Health Board for making their facilities at Merlin Park Regional Hospital, available for County Council meetings pending the completion of the new Headquarters.

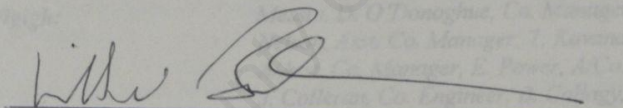
CATHAIRLEACH:

An Comhairleoir W. Burke

CHRIOCHNAIGH AN CRUINNIU ANSIN

Callanor, Deputies P. Connolly & E. O'Car, Cllrs M. Foley, P. ...
Finnerty, S. Gorm, I. Hayes, M. Longshaw, J. McCleary, Deputy ...
McDonagh, Cllr ...
M. ...
O'Sullivan, ...
O'Donoghue, Co. Manager, D. ...
Co. Manager, J. ...
Manager, E. Power, ACA Secretary ...
Co. Engineer ... S.E.E., ...
A.G.P. Carroll, A.A.O. I. Connell, ...
Ginnelly & E. Hourigan, A.S.O.

Submitted, Approved + Signed:



Chairman

28th July, 1997

Date

RESOLUTIONS OF SYMPATHY

4288

A Resolution of Sympathy was passed with the Families of the following:-

- Dr. Colm O hEocha - former President of University College Galway
- Mr. Richard Burke, Overseer in the Council's Tuam Area.

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE CORRIB GREAT SOUTHERN HOTEL, GALWAY ON MONDAY, 26th MAY, 1997

CATHAOIRLEACH:

An Comhairleoir W. Burke

I LATHAIR FREISIN:

Baill:

Cllrs. J. Brennan, J. Burke, T. Byrne, J. Callanan, Deputies P. Connaughton & E. O'Cuiv, Cllrs. M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. P. McHugh, M. Mullins, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Ryan, M. Regan, E. Varley & T. Walsh.

Oifigigh:

Messrs. D. O'Donoghue, Co. Manager, D. Nelson, Asst. Co. Manager, T. Kavanagh, A/Asst. Co. Manager, E. Power, A/Co. Secretary, J. Colleran, Co. Engineer, B. Callagy, S.E.E., J. Cullen, A.O., P. Carroll, A/A.O., T. Connell, S.S.O., B. Gimmelly & E. Hourigan, A/S.O.

Thosnaigh an crinniu leis an paidir.

The Chairman, on behalf of the Members and on his own behalf welcomed Prof. Joseph Zimmerman from the United States of America to the meeting. The County Manager wished to be associated with the Chairman's welcome for Prof. Zimmerman who had demonstrated great interest in various aspects of Irish Local Government.

RESOLUTIONS OF SYMPATHY

4288

A Resolution of Sympathy was passed with the Families of the following:-

Dr. Colm O hEocha - former President of University College Galway
Mr. Richard Burke, Overseer in the Council's Tuam Area.

Monthly Meeting - 26/05/1997

The Manager on behalf of the Staff and on his own behalf wished to be associated with same.

MINUTES

4289

The Minutes of the Special Meeting held on the 11th April, 1997 were approved by the Council and signed by the Chairman, on the proposal of Councillor Brennan, seconded by Councillor Ryan.

On the proposal of Councillor Ryan, seconded by Councillor Brennan the Minutes of the Monthly Meeting held on 28th April, 1997 were approved by the Council and signed by the Chairman.

The Report of the Loughrea Electoral Area Committee Meeting held on 9th April, 1997 was considered. It was adopted by the Council on the proposal of Senator McDonagh, seconded by Councillor McClearn.

The Report of the Loughrea Electoral Area Committee Meeting held on 28th April, 1997 was considered. It was adopted by the Council on the proposal of Senator McDonagh, seconded by Councillor McClearn.

The Report of the Arts Committee Meeting held on 12th May, 1997 was considered. It was adopted by the Council on the proposal of Councillor Walsh, seconded by Councillor Brennan.

The Report of the National Monuments Advisory Committee Meeting held on 13th May, 1997 was considered. It was adopted by the Council on the proposal of Councillor Ryan, seconded by Councillor Quinn.

The Report of the Higher Education Grants Committee Meeting held on 19th May, 1997 was considered. It was adopted by the Council on the proposal of Councillor Ryan, seconded by Councillor Loughnane.

MATTERS ARISING FROM THE MINUTES

Minute No. 4244

The Acting County Secretary informed the Members that the 2nd Paragraph on page 12 of the Minutes should read as follows:-

"The Manager informed the Members that the Council will advertise shortly for the recruitment of Gardeners for the towns of Tuam and Loughrea. They will provide professional expertise to help improve the towns of Tuam and Loughrea and the villages in the surrounding hinterlands."

The Members noted same.

**MATERIAL CONTRAVENTION OF THE TUAM
TOWN DEVELOPMENT PLAN APPLICANT: FR.
OLIVER HUGHES PLANNING REF: 96/2649** 4290

A report dated 6th May, 1997 was circulated to the Members and read as follows:-

PROPOSED DEVELOPMENT: The planning application is for outline permission for 47 houses and a shop at Demesne, Tuam.

LOCATION: The site is located on the outskirts of Tuam on the Dunmore Road opposite the IDA factory.

PLANNING HISTORY: An application for outline planning permission for 125 houses was lodged on the 20th October, 1995 on a larger site including the site of the present submission. This application was withdrawn on the 12th March, 1996.

ZONING: The site is zoned for agricultural use in the Tuam Town Development Plan.

DESCRIPTION: The present use of the site is agricultural and the land is zoned for agricultural purposes. The rationale for the agricultural zoning was to permit an assessment of the industrial land requirements of Tuam as the land adjoins the Pulse Ireland factory premises and is opposite the IDA estate. Since the original zoning the IDA have acquired additional lands and coupled with other industrially zoned lands, there should be sufficient lands available for this land use for the immediate and mid term future. These agriculturally zoned lands may, subject to other planning constraints, be released for alternative development.

The following planning considerations for the proposed development must be addressed:

- (i) **Proximity to an existing factory premises.** The proposed land use could give rise to a conflict between residential and industrial land users particularly as regards noise and disturbance (e.g. at night during shift work). It is therefore proposed to locate an area of public open space to act as a buffer between the two areas.
- (ii) **Access point:** The access is located within the 30 mph speed limit.
- (iii) **Drainage:** Due to drainage deficiencies in this area the developer is being charged a contribution towards remedial works which involve the provision of a new surface water drain and an extension of the watermain.

It will be necessary to have certain revisions in the layout but subject to same, the development will be satisfactory. In the context of the above and with the continuing pressure for housing development in Tuam Town and its Environs there is no objection on planning grounds to the proposed contravention of the zoning in the Tuam Town Development Plan.

STATUTORY CONSIDERATION: A decision to grant 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 Local Government (Planning & Development) Act 1963 as substituted by Section 39(d) of the Local Government (Planning & Development) Act 1976, as amended by Section 45 of the Local Government Act 1991.

Public notice of the Council's intention to consider deciding to grant permission was given on 10th April, 1997 and the notice invited members of the public to submit representations or objections if they so wished. There were no submissions received by the Planning Authority.

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

Cllr. Finnegan proposed:-

"That having considered the Planning Application made by Fr. Oliver Hughes for outline permission for 47 houses and a shop at Demesne, Tuam - Planning Ref. 96/2649, and having considered the report by the Senior Executive Engineer, Planning on the matter, Galway County Council in accordance with the provisions of Section 26(3) of the Local Government (Planning & Development) Act, 1963, as amended by Section 39(d) of the Local Government (Planning & Development) Act, 1976, as amended by Section 45 of the Local Government Act, 1991, hereby require that a decision to grant permission be made in the case of this application."

This proposal was seconded by Councillor J. Burke. A vote was then taken which resulted as follows:-

AR SON:

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, Deputies Connaughton & O'Cuiv, Cllrs. M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. McClearn, Deputy P. McCormack, Senator J. McDonagh, Cllrs. P. McHugh, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley & T. Walsh. (26)

IN AGHAIDH: -----

The Chairman declared the motion carried.

REVIEW OF THE COUNTY DEVELOPMENT PLAN 4291

A Report dated 21st May, 1997 incorporating the submissions received on the material alteration to the Development Plan were circulated to the Members together

STATUTORY CONSIDERATION: A decision to grant 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 Local Government (Planning & Development) Act 1963 as substituted by Section 39(d) of the Local Government (Planning & Development) Act 1976, as amended by Section 45 of the Local Government Act 1991.

Public notice of the Council's intention to consider deciding to grant permission was given on 10th April, 1997 and the notice invited members of the public to submit representations or objections if they so wished. There were no submissions received by the Planning Authority.

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

Cllr. Finnegan proposed:-

"That having considered the Planning Application made by Fr. Oliver Hughes for outline permission for 47 houses and a shop at Demesne, Tuam - Planning Ref. 96/2649, and having considered the report by the Senior Executive Engineer, Planning on the matter, Galway County Council in accordance with the provisions of Section 26(3) of the Local Government (Planning & Development) Act, 1963, as amended by Section 39(d) of the Local Government (Planning & Development) Act, 1976, as amended by Section 45 of the Local Government Act, 1991, hereby require that a decision to grant permission be made in the case of this application."

This proposal was seconded by Councillor J. Burke. A vote was then taken which resulted as follows:-

AR SON:

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, Deputies Connaughton & O'Cuiv, Cllrs. M. Fahy, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, M. Loughnane, J. McClearn, Deputy P. McCormack, Senator J. McDonagh, Cllrs. P. McHugh, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley & T. Walsh. (26)

IN AGHAIDH:

The Chairman declared the motion carried.

REVIEW OF THE COUNTY DEVELOPMENT PLAN 4291

A Report dated 21st May, 1997 incorporating the submissions received on the material alteration to the Development Plan were circulated to the Members together

with the Draft County Development Plan. The Chairman referred to the display period for material alteration on the Draft County Development Plan which was from the 18/4/97 to 20/5/97. During the display period 4 submissions were received from the public, three of the submissions were outside of the ambit of the review and the remaining valid submission was considered by the members.

Mr. Callagy outlined details of the submission from the Oranmore Community Development Association. The valid proposal from the Association referred to the proposed residential zoning at Frenchfort, Oranmore recommending that the density be kept to one house per acre. Mr. Callagy stated that the area, the subject matter of the material alteration to the Draft County Development Plan was located on the rural side of the Oranmore bypass. It was an objective of the County Development Plan to restrict residential development to the village side of the bypass in order to avoid the unnecessary crossing of the National Primary Road by local traffic and pedestrians, in particular children. Therefore, he added that the proposed zoning was not recommended. It was proposed by Cllr. Joe Brennan to accept the planning officer's recommendation.

The County Manager addressing the meeting stated that the planning officer's recommendation should be adhered to and that the zoning of the lands at Frenchfort was not advisable. He added that the dual carriageway was the outer limit of Oranmore village and that development should not be allowed beyond this boundary.

Deputy McCormack proposed that the decision to zone this land residential with a density of 6 houses to the acre be accepted. This proposal was seconded by Cllr. Fahy and agreed by the Council.

Deputy McCormack stated that in comparison with other counties an exhaustive examination of the Development Plan had taken place. He stated that meetings were held throughout the County and that the process of public involvement in the preparation of the new County Development Plan had never been greater. He thanked the Council Officials for their participation in the process. There may be difficulties with the new County Development Plan but he hoped that the officials would allow common sense to prevail when dealing with such difficulties. He stated that in the processing of planning applications, requests for further information often leads to frustration on the part of the applicant. He added that minor adjustments to dwellings should not be harshly dealt with by the Planning Authority.

Cllr. Ryan stated that he had witnessed the longest ever review of a County Development Plan. He expressed the hope that this Plan would be a successful one for County Galway.

Cllr. J. Burke complimented the officials in the preparation of the new County Development Plan. He expressed the hope that the County would benefit as a result of the new Plan. He welcomed the level of public participation and the extent to which the officials held meetings with the public.

Cllr. Callanan referred to the emurement clause which is included as a condition of planning permission. He felt that this was an unfair clause to use and requested a

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comment on its use. Cllr. Finnerty paid tribute to the Planning Officer, Mr. Brian Callagy for his work in the preparation of the Plan over the past 3 years.

Cllr. Gavin welcomed the completion of the Plan. However, he stated that the policy of planning in towns and villages around Galway City had to be examined. In the new Development Plan, these locations were classified as growth areas, being towns such as Clarinbridge, Oranmore, Claregalway, Moycullen and Barna. Referring in particular to Moycullen, he stated that the community was expressing concern at the lack of services for the residential development in the village. It was a situation where permissions would have to be refused because of the deficiency in services. The deficiency of services in the villages and towns must be addressed by the County Council.

Cllr. Byrne wished to be associated with the comments on the adoption of the County Development Plan. He stated that he was involved in the preparation of the first plan in 1968 and found that this particular review was the most exhaustive ever. He expressed his gratitude for the excellent study papers that were circulated to the members. He added that it was vital that rural areas be growth areas within the County and that rural communities be sustained. He felt that the consultation with the public and the public meetings were excellent ventures.

Deputy Connaughton stated that this was a partnership plan between officials and councillors. He wished to know if it was possible to get a summary version of the County Development Plan. Cllr. Fahy complimented the planning officials in the preparation of the plan. He expressed the hope that there would no longer be a use for the Section 4 Motions in the County.

Cllr. O'Neill also expressed his gratitude to the planning staff. He requested clarification on the submission received from the National Roads Authority.

Cllr. O'Neachtain wished to be associated with the words of thanks to the officials. He added that the County Development Plan will hopefully be the blueprint for development within the County. However, he expressed his apprehension about the two areas of Barna and Spiddal where he stated development was not being allowed pending the preparation of a road plan. The road layout for Spiddal must be considered sooner rather than later, he added. In referring to the extract of maps he welcomed the inclusion of a Galway/Furbo bypass road. He stated that the overall plan was welcome. In regard to the inclusion of the enurement clause as a condition of the permission, he stated that where this occurs it devalues the permission granted. Councillor O'Neachtain then referred to the letter which had been received from the Department of the Environment relating to special amenity area orders. He requested to know the implications of the content of this letter on the County Development Plan and sought clarification. Deputy O Cuiv thanked the officials for their input into the preparation of the Plan.

It was proposed by Deputy McCormack, seconded by Cllr. Ryan and agreed by the Council:-

"That Galway County Council, having prepared a draft of a proposed County Development Plan; having sent copies of the prescribed documents to the prescribed authorities, having published the required notices, having considered the representations and objections made to the Draft Plan in accordance with Section 21 of the Local Government (Planning & Development) Act 1963, as amended by Section 37 of the Local Government (Planning & Development) Act 1976 and having in all other respects complied with the provisions of the Local Government (Planning & Development) Act, 1963 as amended, hereby resolve to make a County Development Plan for the County Health District of Galway excluding the Scheduled Towns of Athery, Clifden, Gort, Loughrea and Tuam and the Environs of Towns of Tuam and Loughrea (as defined in the said Draft Development Plan).

The Plan as adopted on 26th May, 1997 consists of a written statement and the relevant maps".

The Chairman declared the County Development Plan as being adopted.

The County Manager thanked the members for their contribution to the debate and consideration of the review of the County Development Plan. He stated that it was one of their most important tasks as elected members. He acknowledged and thanked the staff for their work in the review. He stated that when the draft was on display the public involvement was encouraged by the holding of public meetings. This was found to be a very useful exercise. In the future the Development Plan will be used as a tool for the development of the County. He suggested that a meeting be held once a year to evaluate the objectives set out in the County Development Plan which would result in less time being spent on the formal review of the Development Plan. The County Manager referred to the advice centres and the publication of the Planning Advice Booklet which were provided to facilitate the public. He advised that building design guidelines were in the process of being prepared by the Planning Department. The County Manager added that the Council's Architect will also assist in the preparation of this document. In regard to the action plans, he stated that a Draft Plan for Oranmore will be coming before the Loughrea Area Committee meeting for its consideration following which it will be presented to the Council. When the plan is adopted by the Council it will be put on public display for a period of 3 months. In regard to the Barna Action Plan, a draft had been prepared and was currently being examined by the planning staff. In referring to the number of planning applications being processed by the Planning Department, the County Manager stated that the applications for 1996 represented a 20% increase on the 1995 figures and the present trend of 1997 indicated that the number of applications will exceed the 1996 figures. In reference to Deputy Connaughton's suggestion on a layman's guide to the Development Plan, he advised the Deputy that this was not an easy task to achieve. However, he advised that an indexing of the chapters of the Development Plan would be made available. In referring to the National Roads Authority submission, he advised that the submission was not received within the required time period. He advised that the enurement clause was used in cases where development would not otherwise be allowed. He added that cases for the removal or the waiving of the terms of such clauses would be looked upon sympathetically. With regard to the correspondence from the Department of the Environment dated 23rd

May, 1997 on a special amenity area order, he stated that the Council Officials would meet the relevant Planning Inspector from the Department of the Environment.

Cllr. Gavin welcomed the Manager's comments. He added that in the event of sewerage schemes not coming available then a policy should be in existence to deal with these particular situations. Cllr. Regan also expressed his concern about the lack of services in towns.

The Chairman expressed his thanks to the County Manager for his assistance in dealing with the Review of the County Development Plan, together with Mr. Callagy and other officials and Cllr. Mannion who was Chairman at the commencement of the Review of the County Development Plan.

MAKING OF POLLING SCHEME

4292

In a report dated 16th May, 1997 which had been circulated to the Members, the Acting County Secretary stated that a list of suggested changes to the Polling Scheme had been circulated to the Members of each Electoral Area Committee in early 1996. A Draft Polling Scheme having been approved by each of the five Electoral Area Committees was circulated to the Dail Returning Officers and Dail Deputies for the areas concerned, Ballinasloe U.D.C., Tuam Town Commissioners and Loughrea Town Commissioners, and a period of 5 weeks was allowed for receipt of proposals for alterations in the proposed scheme. Two submissions were received and circulated to the Members together with observations and recommendations in respect of each submission.

On the proposal of Councillor Callanan, seconded by Councillor McHugh, the Members agreed that the item be referred to the relevant Electoral Area Committees for consideration.

Deputy McCormack expressed concern over the delay in finalising the Draft Polling Scheme.

OVERDRAFT ACCOMMODATION

4293

On the proposal of Councillor Ryan, seconded by Councillor Brennan, it was agreed that Galway County Council approve Overdraft Accommodation in the maximum sum of £3 million for the period of six months ending on 31st December, 1997, subject to the sanction of the Minister for the Environment.

1997 HIGHER EDUCATION GRANTS SCHEME

4294

A Report dated 20th May, 1997 enclosing a copy of the Draft Higher Education Grants Scheme 1997 was circulated to each Member. The Scheme was considered by

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the Members and adopted on the proposal of Councillor Quinn, seconded by Councillor Byrne.

On the proposal of Councillor Callanan, seconded by Councillor Regan, the Members agreed that a request be made to the Department of the Environment to raise the maintenance grant payable to students to at least £60.00 per week.

1997 ARTS GRANTS

4295

On the proposal of Councillor Fahy, seconded by Councillor Byrne, the recommendations of the Arts Committee for Arts Grants were unanimously approved by the Council as follows:-

ARTS GRANTS RECOMMENDATIONS 1997

ARTFORM : DANCE:	Gort Festival of Dancing	£250.00
ARTFORM : DRAMA /		
THEATRE	Druid Theatre Company	£3,000.00
	Glenamaddy Theatre Festival	£950.00
ARTFORM : DRAMA /		
THEATRE	Town Hall Theatre, Glenamaddy	850.00
	Tuam Mall Theatre	£2,000.00
ARTFORM : LITERATURE		
	Baffle Writers' Group (Loughrea)	£200.00
ARTFORM : LITERATURE		
	Ballinasloe Writers' Group	£300.00
	Clifden Writers' Group	£300.00
	Deadwide Writer's Group (Tuam)	£300.00
	Letterfrack Writers' Group	£200.00
ARTFORM : MUSIC /		
CONCERTS		
	Clifden Arts Society	£600.00
	Cois Cladaigh	£300.00
	Coiste Feile Chomortha Joe Einiu (Carna)	£300.00
	Comhaltas Ceoltoiri Eireann (Renvyle)	£600.00
	Connemara Live Arts	£300.00
	Cooley - Collins Traditional Music Festival (Gort / Peterswell)	£500.00
	Glink Community Council	£600.00
	Kinvara Community Council	£300.00

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	/ An tAmhran Beo Pat Keane Commemoration Committee (Kinvara)	£500.00 £300.00
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ARTFORM : FILM	Galway Film Centre Letterfrack Film Society	£200.00 £400.00
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ARTFORM :

COMMUNITY ARTS /

EDUCATION

	Anord (Cong / Clonbur / Cornamona)	£600.00
	Baboro	£500.00
	Galway Youth Theatre	£1,000.00
	Gateswide (Tuam)	£750.00
	Gort Arts Group	£500.00
	Inishbofin Community Arts	£500.00
	Loughrea Travellers' Community Development Group	£350.00
	Maam Valley Craft Group	£100.00
	Macnas	£1,200.00
	Muintearas (Tir an Fhia)	£400.00
	North West Connemara Childrens' Festival	£300.00
	Oat Community Arts (Ballinasloe)	£1,000.00
	Plearaca Teoranta (Ros Muc)	£1,000.00
	Roundstone Youth Theatre	£500.00

ARTFORM / FESTIVALS

	Athenry Festival	£1,800.00
	Caltra Festival	£300.00
	Clifden Community Arts Festival	£6,250.00
	Connemara Environmental Education Centre (Sea Week & Bog Week, Letterfrack)	£1,000.00
	Feile na nOileain (Leitir Mor)	£250.00
	Fleadh na gCuach (Kinvara)	£1,000.00
	Galway Arts Festival	£3,000.00
	Plearaca Chonmara	£2,000.00
	Roundstone Open Arts Festival	£300.00
	Seachtain Cultuir, Inis Meain	£300.00
	Skehana Festival	£300.00
	Tuam Literature Festival	£1,200.00

ARTFORM : ARTS CENTRES

	Galway Arts Centre	£750.00
	Kiltartan Gregory Cultural Society	£500.00

SPECIAL AREAS OF PROTECTION AREAS Lackagh Folk Museum ND SPECIAL £500.00

ARTFORM : ARTS PROGRAMME

The Acting County Secretary Arts Programme £4,100.00

TOTAL £45,000.00

ANNUAL GENERAL MEETING 4296

It was proposed by Councillor Mullins, seconded by Councillor Varley and agreed that the Annual General Meeting of the Council would take place on the 14th July, 1997 at 2.30 p.m.

JUNE MONTHLY MEETING 4297

On the proposal of Councillor Regan, seconded by Councillor Callanan the Members agreed that the June Monthly Meeting will take place in the Shannon Oaks Hotel, Portumna on 23rd June, 1997.

LOCAL GOVERNMENT FINANCIAL PROVISIONS ACT 1997 4298

On the proposal of Councillor Callanan, seconded by Councillor O'Sullivan the Members agreed to defer this item to the next Meeting.

MANAGER'S BUSINESS 4299

Athenry Heritage Project

The Acting County Secretary informed the Members that Invitation to Tender for the conversion of St. Mary's Church, Athenry to a Heritage Centre would be advertised week ending 30/5/1997.

The County Manager noted the financial contributions made by the people of Athenry to the project and acknowledged the co-operation between the County Council and local community. He said that agreement has also been reached to the subsequent management of the centre.

The Members noted and welcomed this project and complimented the Manager and all Staff associated with same.

SPECIAL AREAS OF CONSERVATION AND SPECIAL PROTECTION AREAS 4300

The Acting County Secretary said that following the Special Meeting of the Council on 9th May, 1997, an invitation was extended to Mr. Michael Canney, Director of the National Parks and Wildlife Services to address the Council on Special Areas of Conservation and Special Protection Areas. He indicated that this presentation would take place at the Council's Special Meeting to be held on 13th June, 1997. The Members noted this information.

RURAL RE-SETTLEMENT - PILOT LOCAL AUTHORITY SCHEME 4301

The Acting County Secretary informed the Members of the recent announcement by Ms. Liz McManus, T.D., Minister for Housing and Urban Renewal, in relation to the Pilot Local Authority Rural Re-settlement Scheme. The pilot scheme allows for the provisions of 40 local authority houses in a number of counties. Galway County Council had received approval for the building or acquisition of seven houses. These houses are in addition to the Council's existing capital allocation for its housing programme in 1997 and 1998.

The Members welcomed this scheme. Councillor O'Sullivan queried whether these houses will become part of Galway County Council's housing stock and whether the Council has a say where such houses are built. An Comhairleoir Ni Fhatharta queried whether Council will have a say regarding the tenants for such houses.

Mr. D. Nelson, Assistant County Manager stated that Galway County Council in consultation with Rural Re-settlement Ireland, will select eligible applicants from the Rural Re-settlement waiting lists. Where a house, funded under this scheme is returned to the local authority, re-lettings in the first five years are to be offered to Rural Re-settlement applicants.

TUAM REGIONAL WATER SUPPLY SCHEME - TUAM TOWN DISTRIBUTION NETWORK 4302

The Acting County Secretary informed the Members that a letter dated 30th April, 1997 from the Department of the Environment approved the proposal submitted by Galway County Council to carry out works in Tuam Town to connect Stage 1 to the Tuam Town and to provide an adequate head of water in the system.

The Members noted this information.

The Manager, on behalf of the Staff and on his own behalf wished to be associated with the good wishes of the Council to Councillor Cunningham and Bishop John Neil.

BATTLE OF AUGHRIM INTERPRETATIVE CENTRE 4303

The Acting County Secretary informed the Members that Galway County Council received a letter from Ireland West Tourism dated 1st May, 1997 terminating the agreement for the management of the Battle of Aughrim Interpretative Centre with effect from 1st November, 1997. The letter stated that Ireland West Tourism did not propose to manage the centre in 1998 or any subsequent years.

In response to queries from Members, the County Manager stated that the correspondence did not contain any reasons for the termination of the agreement.

Councillor O'Sullivan said that Aughrim is a part of the County Galway which is completely ignored by Ireland West, and shows a very negative attitude to promoting tourism in this area.

Councillor Brennan proposed that a letter be sent to Ireland West requesting them to phase the withdrawal from the running of the Interpretative Centre over approx. five years.

Councillor Mullins and Councillor J. Burke agreed with above Speakers and stated that Ireland West appear to ignore the various facilities available East of the Corrib. Councillor Burke proposed that Ireland West be asked to re-consider their decision and to enter into another commitment to run the centre for a further five years. This proposal was seconded by Councillor O'Neachtain and agreed by the Council.

BALLINASLOE REGIONAL WATER SUPPLY SCHEME 4304

The Acting County Secretary informed the Members that sanction to the Preliminary Report for Ballinasloe Regional Water Supply Scheme and to the preparation of Contract Documents for Stage 1 (Advance Section) of the Scheme to serve the Laurencetown/Eyrecourt area was received from the Department of the Environment.

The Member noted this information.

CHAIRMAN'S BUSINESS 4305

It was agreed that the Council extend its good wishes for a speedy recovery to Councillor Cunningham from his recent illness.

The Members also extended good wishes to Bishop John Neil of Tuam and Killala on his move to the Dioceses of Cashel, Waterford, Lismore, Ossory, Ferns and Leighlin.

The Manager, on behalf of the Staff and on his own behalf wished to be associated with the good wishes of the Council to Councillor Cunningham and Bishop John Neil.

Cappataggle Group Water Supply Scheme

Councillor Callanan referred to the application made by the Cappataggle Group Water Supply Scheme for approval to provide a group water scheme. The costs of such works is estimated to be between £200,000 to £400,000 approx. A special contribution of £200,000 would be required.

Councillor Callanan proposed that a letter be sent to the Department of the Environment requesting that the money be provided for this scheme. Councillor O'Sullivan seconded this proposal.

Councillor Mullins supported the proposal to seek additional funds from the Department of the Environment for these works. He said that an urgent supply of water is required and the public representatives for the Ballinasloe Electoral Area fully understand the degree of frustration the people from Cappataggle are experiencing.

Mr. D. Nelson, Assistant County Manager stated that responsibility for Group Water Schemes has now been devolved to Local Authorities. Mr. Nelson said that Galway County Council have been allocated £500,500 for 1997. Thirty Seven Group Water Schemes were approved by the D.O.E. prior to being devolved to Galway County Council and regrettably Cappataggle Group Water Scheme is not included in the said list. He said that at present, Galway County Council is preparing a priority list based on the 37 schemes approved by the Department of the Environment, and will be presented to the Members for approval. Mr. Nelson stated that the Council should not write to the Department of the Environment seeking funds for Cappataggle Group Water Scheme in these circumstances.

In response to queries from Councillor Callanan, Mr. Nelson, Assistant County Manager said that approval of the Minister to Preliminary Report for the Ballinasloe Regional Water Supply Scheme and the Contract Documents for Stage I to serve the Laurencetown/Eyrecourt area had been received. This will effectively start the process to solve the problems of the Laurencetown Group Water Scheme.

Church of Ireland Cemetery, Ardrahan

Councillor Fahy requested that a sign for Irish Rail be re-located. This sign is currently erected outside the Church of Ireland Cemetery in Ardrahan.

Councillor M. Fahy asked whether the Council could provide a ramp to the Church of Ireland in Ardrahan, and same may be done through a Local FAS Scheme.

Mr. J. Collieran, County Engineer replied stating that the provision of a ramp on private property is a matter for the Church of Ireland. In relation to the sign erected, this was installed following due consideration for the location of same.

Speed Limits on Bye-Laws

An Comhairleoir O'Neachtain requested clarification regarding speed limits on county roads leading onto regional roads. He gave an example of the R336 - Galway/Spiddal Road. The speed limit signs on the regional roads indicate a speed of 30 or 40 m.p.h., whereas on small inter-linking by-roads there are no signs indicating the speed limit and therefore the maximum speed applied. An Comhairleoir O'Neachtain stated that to allow the maximum speed limit on sub-standard roads is unsafe.

The County Engineer stated that to facilitate drivers approaching a road on which a speed limit of 30 m.p.h. or 40 m.p.h. applies, signage is provided to indicate speed limit.

Services for Marriages in Difficulties

Councillor Brennan said that the Brochures issued by the Department of Equality and Law Reform and circulated to each Member regarding services for Marriages in Difficulty gives very little information. He said that the money given to agencies, dealing with marriages in difficulties, especially ACCORD, has not been increased in the last two years. He requested that a letter for an increase in funding be sent to the Minister, and the money allocated should reflect the help/counselling required in order to ensure a greater emphasis on family values.

Re-development of Council Buildings

In order to mark the pending departure of the Council from Prospect Hill to temporary accommodation and on the proposal of Councillor McHugh, seconded by Councillor Finnerty the Members agreed to hold a reception on Friday, 13th June, 1997 to which former Council Members would be invited to attend.

The Manager informed the Members that the Tour of the Luiminagh Treatment Plant will now take place on 11th July, 1997. The Members agreed and noted same.

Private Bus Operators

Councillor Ryan requested the support of the Council to his proposal to send a letter to Galway Corporation to review the charges being applied to Private Bus Operators. The following charges will apply to private bus operators:-

Drop-down Charge	-	£3.00 every 20 minutes
Pick-up Charge	-	£3.00 every 20 minutes
Long-term Parking Charge (Dyke Road)	-	£5.00 per day (during hours 5 p.m. - 10 am)
		£2.00 per day (during hours 8.00 a.m. - 10.00 p.m.)

Councillor Ryan said that the Private Bus Operators are prepared to contribute a reasonable amount, but they feel that these charges are exorbitant. When these

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charges are imposed, it may result in increased fares for the users of private transport. The Members agreed to support this proposal.

Time of Presentations

Councillor Brennan requested that the times of Presentations by various bodies be reviewed in order to ensure that all Members are present at same.

Motion from Donegal County Council

On the proposal of Councillor Gavin, seconded by Councillor Brennan the Members agreed to support the motion circulated by Donegal County Council that each County Council form an Agricultural Committee and seek Government support to have a County Committee of Agriculture re-established under the control of the Department of Agriculture, Food and Forestry.

Joint Meeting

A joint meeting of Galway County Council and Galway Corporation was held following the May Monthly Meeting. A presentation was made by Colm Buchannon and Partners, assisted by Ryan Hanley & Co., Associates to launch the Galway Planning and Transport Study.

The following written reply was given to Councillor Cunningham:-

NOTICE OF MOTIONS

**N.O.M. NO. 14 - IMPROVEMENT WORKS - CLLR. M. 4306
FAHY**

The following written reply was given to Councillor Fahy:-

"We are not convinced that the need would justify the inconvenience to the general public. The matter will however be kept under review. The hazard could be eliminated if motorists were to abide by the rules of the road.

The above location has not been included in the 1997 Public Lighting Programme which has already been approved by the Council.

A new Community Employment Scheme is due to commence in the Gort Area in June 1997 and work at Glenbrack and Gallaghers road will be considered."

**N.O.M. NO. 15 - PAIRC IMEARTHA - AN COMH. S. 4307
O'NEACHTAIN**

Seo leanas an freagra a tugadh do'n Comhairleoir O'Neachtain:-

"Fuair an Chomhairle Chontae an talamh seo i gcóir tithíocht agus níl aon talamh eile ar fáil ag an gComhairle i gcóir tithíocht ar Inis Mór."

N.O.M. NO. 16 - PUBLIC LIGHTS - CLLR. M. CUNNINGHAM 4308

"The provision of these lights will be considered when the 1998 Public Lighting Programme is being prepared."

N.O.M. NO. 17 - WATER MAIN - CLLR. M. CUNNINGHAM 4309

The following written reply was given to Councillor Cunningham:-

"I wish to inform you that an agreement has been entered into between the Trustees of the Maree Group Water Supply Scheme and the Directors of the Galway Bay Golf and Country Club. By virtue of this agreement, an 8" water main is being provided by the Galway Bay Golf and Country Club in this area."

N.O.M. NO. 18 - WATER MAIN - CLLR. M. CUNNINGHAM 4310

The following written reply was given to Councillor Cunningham:-

"I wish to inform you that an agreement was entered into between Galway County Council and Galway Bay Golf and Country Club regarding the provision of a water supply to the Club. A separate arrangement has been made between the Trustees of the Maree Group Water Supply Scheme and the Directors of the Galway Bay Golf and Country Club. By virtue of the latter agreement, an 8" water main is being provided in the area referred to."

N.O.M. NO. 19 - S.E.S. SCHEME - CLLR. M. FAHY 4311

The following written reply was given to Councillor Fahy:-

"The carrying out of works within Burial Grounds by Community Employment Schemes is not allowed by FÁS."

N.O.M. NO. 20 - TRAFFIC CALMING MEASURES - CLLR. M. FAHY 4312

The following written reply was given to Councillor Fahy:-

"Kilcolgan has been included in the Council's submission to the National Roads Authority for funding under the Low Cost Safety Improvement Measures. There are no proposals for traffic calming measures."

N.O.M. NO. 21 - S.E.S. SCHEME - CLLR. M. FAHY 4313

The following written reply was given to Councillor Fahy:-

"A new Community Employment Scheme is due to start in June 1997 and the carrying out of works at above location will be considered."

N.O.M. NO. 22 - HARD SHOULDER - CLLR. M. LOUGHNANE 4314

The following written reply was given to Councillor Loughnane:-

"This spare space between the hard shoulder and the adjoining land resulted from road re-alignment. It was filled with stones and other material to prevent camping and parking and it is considered best left filled in."

N.O.M. NO. 23 - FOOTPATH - CLLR. M. LOUGHNANE 4315

The following written reply was given to Councillor Loughnane:-

"The cost of providing a footpath at above location is estimated at £4,600. However, no provision for same has been made in the 1997 Road Works Programme."

N.O.M. NO. 24 - RELIEF ROAD - CLLR. M. LOUGHNANE 4316

The following written reply was given to Councillor Loughnane:-

"There are no plans prepared for the construction of this road but it is included in the Athenry Town Plan."

N.O.M. NO. 25 - WARNING SIGNS - SEN. J. MCDONAGH 4317

The following written reply was given to Senator McDonagh:-

"Some signage will be erected at this location."

N.O.M. NO. 26 - ROAD - SEN. J. MCDONAGH 4318

The following written reply was given to Senator McDonagh:-

"This section of road is not in charge of the Council."

**N.O.M. NO. 27 - LACKAGH CEMETERY - SEN. J. IV 4319
MCDONAGH**

Seo leanas an freagra a tugadh do'n Teachta O'Cuiv:-
The following written reply was given to Senator McDonagh:-

"I wish to inform you that trial holes were dug on lands adjacent to Lackagh Cemetery and an inspection was carried out by the Environmental Health Officer on 4th July, 1996. The County Engineer has reported that of the four trial holes dug, none reached the required minimum depth for a burial ground.

The Council is keen to identify other land in the vicinity of Lackagh which may be suitable for a burial ground."

**N.O.M. NO. 28 - TRA BARR A DOIRE - AN COMH. C. 4320
NI FHATHARTA**

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Is mór an costas a bhaineann le leithreas a thógáil agus níl aon airgead ann chun leithreais a thógáil ar trána.

Dá bhri sin, níl sé beartaithe ag an Comhairle Chontae leithreas a thógáil ag Trá Barr a Doire."

**N.O.M. NO. 29 - S.N. ROS-A-MHIL - AN COMH. 4321
C. NI FHATHARTA**

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Ceapann an Comhairle nach bhfuil gá le teorann luas ag an láthair seo."

**N.O.M. NO. 30 - BOTHAR - AN COMH. C. NI 4322
FHATHARTA**

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Déanfar gnáth obair deisiúcháin ar an mbóthar seo. Níl sé ar intinn againn aon obair a dhéanamh ar an gcéibh faoi láthair."

N.O.M. NO. 31 - BOTHAR - AN TEACHTA E. O'CUIV 4323

Seo leanas an freagra a tugadh do'n Teachta O'Cuiv:-

"Chosnódh an obair deisiúcháin atá ag teastáil ar an mbóthar seo timpeall £2,800."

N.O.M. NO. 32 - BOTHAR - AN TEACHTA E. O'CUIV 4324

Seo leanas an freagra a tugadh do'n Teachta O'Cuiv:-

"Níl an bothar seo luaite I gclár na mboithre 1997. Déanfar gnáth obair deisiuchan ar an mbóthar."

N.O.M. NO. 33 - FOOTBRIDGE - DEPUTY E. O'CUIV 4325

The following written-reply was given to Deputy O'Cuiv:-

"This proposal is being examined at present. No decision has been reached as to the location of the footbridge. Funding will also have to be provided."

N.O.M. NO. 34 - CHOSNODH BOTHAR - AN COMH. S. O'NEACHTAIN 4326

Seo leanas an freagra a tugadh do'n Comhairleoir O'Neachtain:-

"Cuirfear meastuchán chugat le haghaidh an obair thuas luaite chomh luath agus is féidir."

N.O.M. NO. 35 - TRA MOR, INDREABHAN - AN COMH. S. O'NEACHTAIN 4327

Seo leanas an freagra a tugadh do'n Comhairleoir O'Neachtain:-

"The implications of relocating the barrier is being investigated."

N.O.M. NO. 36 - ROAD REPAIRS - CLLR. S. O'NEACHTAIN 4328

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

"This road will be repaired in the near future as part of the ongoing road maintenance programme."

N.O.M. NO. 37 - ROAD WORKS - CLLR. P. O'SULLIVAN 4329

The following written reply was given to Councillor O'Sullivan:-

"A design has been prepared for improvement of this junction but there are no funds available to do the required work. Temporary kerbing and white lines will be put down during the summer and it is hoped this will improve safety."

**N.O.M. 38 - PUBLIC LIGHTING - CLLR. P.
O'SULLIVAN**

4330

The following written reply was given to Councillor O'Sullivan:-

"It is planned to upgrade the lights at these locations but it is unlikely that work will be done this year. It is hoped to include them in the 1998 and 1999 programme of works."

**N.O.M. NO. 39 - HOUSE REPAIRS - CLLR. P.
O'SULLIVAN**

4331

The following written reply was given to Councillor O'Sullivan:-

"Appropriate arrangements will be made to have this house inspected as soon as possible."

**N.O.M. NO. 40 - TRAFFIC CALMING MEASURES -
CLLR. E. VARLEY**

4332

The following written reply was given to Councillor Varley:-

"We are not convinced that the need would justify the inconvenience to the general public. The matter will however be kept under review. The hazard could be eliminated if motorists were to abide by the rules of the road."

**N.O.M. NO. 41 - HEADFORD SQUARE - CLLR. E.
VARLEY**

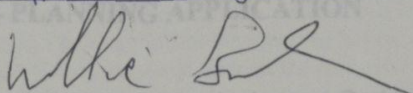
4333

The following written reply was given to Councillor Varley:-

"A budget of £6,000 has been provided in the 1997 Road Works Programme for the carrying out of the above works and it is hoped to have this work carried out before the summer holidays."

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted Approved + Signed:



Chairman

23rd June 1997
Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY BUILDINGS, GALWAY ON FRIDAY, 9TH MAY, 1997

Cathaoirleach:-

Councillor W. Burke

Cllrs. J. Brennan, J. Burke, J. Callanan, Deputies P. Connaughton & E. O'Cuiv, Cllrs. M. Fahy, P. Finnegan, S. Gavin, M. Loughnane, J. Mannion, Deputy P. McCormack, Cllrs. P. McHugh, M. Mullins, C. Ni Fhatharta, S. O'Neachtain, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Ryan, E. Varley and T. Walsh.

Oifigigh:-

Messrs. D. O'Donoghue, Co. Manager, D. Nelson, Asst. Co. Manager, E. Power, A/Co. Secretary, J. Colleran, Co. Engineer, L. Kavanagh, S.E.E., N. Howard, E.E., T. Connell, S.S.O., M. Killoran-Coyne, S.O. & E. Hourigan, A/S.O.

Thosnaigh an crinniu leis an paidir.

**MATERIAL CONTRAVENTION OF TUAM 4279
TOWN DEVELOPMENT PLAN. PLANNING
APPLICATION FOR HOUSING DEVELOPMENT
AND SHOP AT TUAM. PLANNING REF. 96/2649
APPLICANT: FR. OLIVER HUGHES**

Councillor Finnegan proposed that this item be deferred to the Monthly Meeting. This proposal was seconded by Councillor J. Burke and agreed by the Members.

**ADVANCE NOTICE - PLANNING APPLICATION 4280
No. 96/2479**

The Planning Application for six holiday homes at Aughnanure, Oughterard was refused planning permission by Galway County Council. The Chairman informed

Deputy McCormack that the planning authority's decision was currently on appeal to An Bord Pleanála.

EUROPEAN COMMUNITIES (NATURAL HABITAT) REGULATIONS 1997 4281

A Report outlining the particulars of the new Regulations had been circulated to Members. The Regulations amend the Local Government (Planning & Development) Act 1963 and require the Planning Authorities, including An Bord Pleanála, when considering an application for planning permission in respect of development that was likely to have a significant affect on the S.A.C. or S.P.A. or an appeal on such application, to ensure that an appropriate assessment of the implications for the site are considered. Deputy Connaughton referred to the whole area of conservation and the implications for owners of bogs and the cutting of turf. He stated that he was surprised that on land designated as special areas of conservation the cutting of turf was restricted. He added that an official from the Department of Arts, Culture and the Gaeltacht should be requested to address the Council on this topic. He stated that clarification was required on what works exactly could be undertaken within the S.A.C.'s and S.P.A.'s.

This proposal by Deputy Connaughton was seconded by Councillor Callanan. He stated that people do not know what restrictions apply and what development can be undertaken on lands which are designated. Deputy McCormack stated that the official should be able to explain the guidelines referred to and to clarify the implications of the Regulations for the Planning Authority. He added that there appeared to be little concept on the how people lived in Connemara. Councillor Michael Fahy stated that he was concerned about these designations and referred to the townlands of Coole and Garryland which were included in the S.A.C. areas. He raised the issue of the designation of lands which were liable to flooding. He added that every landowner should be informed of the designations. He requested to know how will the Regulations affect planning and the County Development Plan, stating that development must not be prohibited. Councillor O'Neachtain stated that the overall aspect of the Natural Habitats Directive had not been clarified. He felt that Galway County Council should address the planning implications of the designations and there should be liaison between the Planning Department and the Office of Public Works. Councillor Gavin stated that there was local concern about S.A.C.'s and S.P.A.'s designations. He added that it was important that an Official from the Office of Public Works should address the Council. He stated that this was an E.U. Directive which had to be brought into Irish Law. He felt that at ground level there had been no input into these Regulations and local issues were not being addressed. Councillor Quinn stated that there was great concern about the designation of bog areas. She felt that a survey should be carried out on the affects of the designations on these lands. Councillor O'Tuathail stated, as Chairman of the Regional Authority, an official from the National Parks and Wildlife Services came to address the Authority and he felt that he was as helpful as possible. However he did not have the answers to all the specific questions that were asked at the meeting. Councillor Finnegan stated that property rights were important and that the areas specified for designation were excessive. He

added that there was confusion among people about the implications of the designations and that more consultation was required. The proposal of Deputy Connaughton, seconded by Councillor Callanan that an Official from the National Parks and Wildlife Services would be invited to address the Council was agreed by the Members. The County Manager stated that the relevant maps would be circulated to the Members and details of the matters requiring clarification will be sent to relevant Official before he addresses the next Council meeting.

GROUP WATER SCHEMES

4282

Eyrecourt/Laurencetown Group Water Supply Scheme

On the proposal of Councillor Callanan, seconded by Deputy Connaughton, the Council agreed that Standing Orders be suspended in order that Mr. James Joyce of the Eyrecourt/Laurencetown Group Water Scheme address this meeting.

Mr. James Joyce, on behalf of the Eyrecourt/Laurencetown Group Water Supply Scheme wished to thank the Members and Officials of the Council, especially, the County Manager and Mr. Neil Howard for their assistance. Since Mr. Joyce's last address to the Council, the Minister for the Environment sanctioned the Preliminary Report for Ballinasloe Regional Water Supply Scheme and the preparation of Contract Documents for Stage 1 (Advance Section) of the Scheme to serve the Laurencetown/Eyrecourt area.

The Chairman on behalf of the Council and on his own behalf thanked Mr. Joyce for his comments. He stressed that it is important that people are allowed to address the Council and where resolutions are reached and a positive action taken that they be allowed to thank the Council.

The Members welcomed the Minister's decision to sanction the preparation of Contract Documents for Stage 1 of the Ballinasloe Regional Water Supply Scheme. The Members complimented the County Manager and all associated with this scheme.

Councillor Callanan praised the actions of the Group, especially Ms. M. Joyce who flew to Brussels to meet E.U. Commission Officials. He also raised the following queries:-

1. When will the Contract Documents, Bill of Quantities, etc. in relation to this Scheme be prepared?
2. The Regional Water Supply Scheme proposes to take water from Stapletons Cross and continue the main pipe to Redhill, will the Eyrecourt/Laurencetown Group Water Scheme be able to be served/tap into same?
3. Is it envisaged that the rest of Clontuskert be served by this Scheme?

Councillor Gavin welcomed the Minister's announcement, but wished to stress that many projects in the County are awaiting approval. He said that it is perceived by

some people that the Council does not have power and therefore they by-pass the Council in order to receive sanction to various projects. This is an extremely worrying situation, as Councillors are working extremely hard on a part-time basis.

Deputy McCormack wished to be associated with the sentiments expressed by the Members. He complimented the County Manager and all Staff involved for the co-operation given to the Maree Group Water Scheme and Galway Bay Golf and Country Club.

The County Manager paid tribute to the Chairman, Members of Galway County Council and Ballinasloe U.D.C., both past and present who put in place a strategy for the provision of water supplies that are of benefit to the whole county. The County Manager said that the Contract Documents for Stage 1 (Advance Section) of the Ballinasloe Regional Water Supply Scheme will be prepared and when available will be submitted to the Department of the Environment. He said that the formal notification from the Department of the Environment will indicate the extent of the works to be included in the Contract Documents.

The County Manager acknowledged the tributes made to both administrative and technical staff.

DEVOLUTION OF GROUP WATER SCHEMES 4283

The County Manager, in report dated 6th May, 1997 which was circulated to each Member gave a summary of Circular letters L6/97 and L8/97 of 26th March and 30th April, 1997, respectively. He said that Circular Letter L6/97 dated 26th March, 1997 devolved to Local Authorities responsibility for:-

- (a) Administration of Group Water and Sewerage Grant Schemes and
- (b) Small Public Water and Sewerage Schemes Programme (i.e. schemes costing less than £250,000.)

A list of 37 schemes are set out in the Circular as "Approved Schemes in Planning" by the Department of the Environment, Provisional Grant Estimate for these schemes is £894,135. The allocation for 1997 to Galway County Council is as follows:-

(a) Group Water and Sewerage Schemes	£500,500
(b) Small Water and Sewerage Schemes costing less than £250,000	<u>£225,000</u>
Total Allocation	£725,000

The County Manager informed the Members that Circular L8/97 sets out the scheme and guidelines for grants for the provision or necessary improvements of an individual water supply to a house. The amount of the grant will be £1,600 or 75% of approved costs.

The County Manager said that a section within the Council will be established to deal solely with Group Water Schemes. Initially it will be staffed by two Engineers, a Technician, Clerk of Works and an Assistant Staff Officer. The staffing compliment will be reviewed once the volume of work involved becomes clearer and the Department of the Environment clarifies the position in relation to recoupment of relevant administrative expenses.

The County Manager welcomed the challenge and opportunity presented by the devolution of this function to Galway County Council. A prioritised programme for the current year, based on the 37 schemes listed by the Department of the Environment is being prepared and will be presented to the members as soon as possible.

The County Manager advised the Members that the Council is awaiting receipt of Circular Letters on the following further issues:-

- (a) Recoupment of administrative costs.
- (b) Payment of annual subsidy to Group Water Schemes towards the operating costs of providing water.
- (c) Details relating to take-over of Group Water Schemes.

The Chairman and Members thanked the Manager for his report. A general discussion followed and the Members raised queries in relation to the availability of application forms, eligibility criteria and funding. Deputy Connaughton said that the Group Water Schemes have, in many cases, been established through local community efforts and did not want the local communities efforts to be undermined, and the co-operation that exists between Galway County Council and local communities should continue. He requested that seminars be arranged by the Council for people who actually run Group Water Schemes and the Trustees be notified when applications are being invited for subvention grants.

An Comhairleoir O'Neachtain stated that he welcomed any devolution from Central Government, however the funds allocated are totally inadequate. He said that in order to have a correct system in place, it will take many years and water is expensive and must be paid for either directly or indirectly. In regard to the subsidy payable to Group Water Schemes, this money will only be made where expenditure is incurred and in many instances, the Groups actual expenditure is far greater than the subsidy. An Comhairleoir O'Neachtain stated that many issues require further clarification.

Councillor J. Burke said that the Department of the Environment is putting all the responsibilities and difficulties on the Local Authorities, and queried whether the Council could reserve its position until further clarification is received.

Councillor Ryan asked whether Group Water Schemes need to be a Member of the Friendly Society, and queried Group Water Schemes insurance requirements.

Councillor Quinn asked whether grants are available to private groups schemes for the installation of filter systems. Councillor Varley queried the procedure and eligibility requirements for individuals seeking grants.

The Chairman, Councillor W. Burke said that he welcomed the challenge and devolution to Local Authorities. He said that this is a very serious issue and all aspects and everyone's views should be addressed. He stated that a lot of mis-information has been raised in this dispute. The National Federation of Group Schemes have expression of their dissatisfaction with the Local Authorities involvement was regrettable.

Deputy Connaughton hoped that the large Group Water Schemes who have received approval to up-grade existing schemes, that this work will proceed.

Councillor Gavin asked whether detailed accounts will be required from the Trustees, and will penalties be applied if no records exist.

The County Manager, Mr. O'Donoghue thanked the Members for their contributions. He said that the Government made the decision to devolve this function to Local Authorities. This gives the responsibility at local level to prepare a strategy plan to ensure maximum planning each year, and this plan will be presented to Council as quickly as possible. He said that the holding of seminars for Group Water Schemes throughout the County will be taken on board. Technical advice and assistance regarding leak detection and water quality will be given by the Council.

The County Manager informed the Members that the meeting of 13th June, 1997 will be held in Luimnagh commencing at 2.00 p.m. where there will be a tour of the new Water Treatment Plant, and the Council meeting will commence at 3.30 p.m. that day.

The County Manager then replied to the other queries raised by the Members.

Eligibility

He referred to the Explanatory Memorandum of Circular L8/97 which sets out details of the eligibility requirements for grants for the provision or necessary improvements of an individual water supply to a house.

He indicated that application forms would be available from Galway County Council in the next few weeks.

He said that payment of grants will be made by the Local Authorities and recoupment will be from the Department of the Environment.

Prior Inspection

He gave details from the Explanatory Memorandum of Circular L8/97 of prior inspection to be carried out by the Local Authority.

Filtering System

The County Manager said that the installation of a new filtering system may be eligible under the carrying out of improvements category.

The County Manager reminded the Members that the Council is awaiting further Circulars regarding Group Schemes, and the other points raised by the Members will be clarified upon receipt of same.

CONFERENCES

4287

Aughris Beg Group Water Scheme

Cllr. O'Neill and Deputy O'Cuiv raised the problem currently facing Aughris Beg Group Water Scheme. This is a private Group Scheme and the water source has been contaminated. The Members thanked the County Secretary for notifying the Public of the problems and asked what solution or alternative water supply is available.

Mr. D. Nelson, Assistant County Manager, informed the Members that a Meeting will be held on Friday 16th May, 1997 to discuss the problem of Algal Bloom. The Elected Members, Members of Community and Group Scheme Trustees and Staff of the Western Health Board have been invited to attend. The Council have requested that toxicity tests be carried out by Cork Regional Technical College. The Council will endeavour to do everything possible to aid the Group Water Schemes. At present, interim arrangements have been put in place to supply water to the Group, and the Council will continue to provide tankers of water until the situation is rectified. He stressed that the water should not to be used for drinking or other purposes.

WASTE MANAGEMENT (LICENSING) 4284
REGULATIONS 1997 (S.I. NO. 133 OF 1997)

The members agreed to defer the above item to the next meeting.

WASTE MANAGEMENT (PLANNING) 4285
REGULATIONS 1997

The members agreed to defer the above item to the next meeting.

PRESENTATION BY GALWAY RURAL 4286
DEVELOPMENT COMPANY

The Chairman welcomed, Mr. D. Neylon and Mr. B. Geraghty of the Galway Rural Development Company who gave a presentation to the members on the activities of the Galway Rural Development Company and projects carried out under the Leader II Programme in County Galway. A general discussion ensued.

The Chairman, on behalf of the members thanked Mr. D. Neylon and Mr. B. Geraghty for their presentation.

CONFERENCES

4287

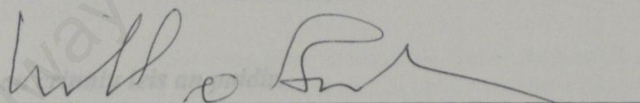
EU Briefing Programme - Leuvin, Brussels - 14th to 18th June.

The Acting County Secretary, asked that the Council to submit nominations to attend the E.U. Briefing Programme to be held in Leuvin, Brussels from 14th to 18th June, 1997.

On the proposal of Councillor P. O'Sullivan, seconded by Councillor C. Ni Fhatharta, the Council agreed that An Comhairleoir P. O'Tuathail be nominated and approved to attend a meeting of An Grúpa Stiúrtha in Castlebar on 13th May, 1997. The recommendation of the Finance Committee was noted. Details of the estimated costs were given to the Members in accordance with D.O.E. Circular dated 17th December, 1993.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved + Signed:


Chairman

23rd June 1997
Date

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY
COUNTY COUNCIL HELD AT THE COUNTY
BUILDINGS, GALWAY ON MONDAY, 28th APRIL, 1997**

CATHAOIRLEACH:

An Comhairleoir W. Burke

I LATHAIR FREISIN:

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

Oifigigh:

*Messrs. D. O'Donoghue, Co. Manager, D.
Nelson, Asst. Co. Manager, T. Kavanagh,
A/Asst. Co. Manager, E. Power, A/Co.
Secretary, J. Collieran, Co. Engineer, E. Lusby,
Finance Officer, L. Kavanagh, S.E.E., D.
Barrett, A.O., T. Connell & C. Greene, S.S.O.'s,
M. Killoran-Coyne, S.O., E. Hourigan, A.S.O. &
A. Whelan, C.O.*

Thosnaigh an crinniu leis an paidir.

SECTION 4 NOTICE - APPLICANT:

4224

- MR. GERRY LYDON PLANNING REF: 96/2765

At the commencement of the meeting Mr. Liam Kavanagh, S.E.E. Planning, outlined the details of the report dated 24/4/1997 on this planning application which had been circulated prior to the meeting:

"LOCATION:

The site is located on the Galway/Moycullen Road - the N59, immediately outside of the city boundary and the 30 m.p.h. speed limit.

PLANNING HISTORY:

- PR. 22272 - Application for Outline Permission for erection of 31 dwellinghouses refused by the Planning Authority on the 11/8/1976. Decision appealed and refused on appeal 5/5/1977. The lands outlined in the planning application included the site the subject matter of the Section 4 Notice.
Applicant: Mr. T. Kelehan.
- PR. 49365 - Application for Outline Permission for dwellinghouse refused by the Planning Authority on the 9/4/1985. Permission granted on appeal dated 28/8/1985. Applicant: Mr. J. Gallagher.
- PR. 61417 - Application for Permission to erect dwellinghouse refused on the 29/4/1991. No appeal lodged. Applicant: Mr. T. Lydon.
- PR. 65749 - Application for Permission for erection of dwellinghouse refused on the 30/3/1992. No appeal lodged. Applicant: Mr. Thomas Lydon.
- PR. 67921 - Application for retention of roadway lodged on the 22/12/1992. This application was not finalised as the further information requested was not replied to. Applicant: Mr. Thomas Lydon.
- PR. 69680 - Application for erection of dwellinghouse refused by the Planning Authority on the 15/6/1994. No appeal lodged.
Applicant: Mr. Gerard Lydon.
- PR. 71601 - Application for erection of dwellinghouse refused by the Planning Authority on the 9/12/1994. No appeal lodged.
Applicant: Mr. Gerard Lydon.

PLANNING CONSIDERATIONS:

The site is located on 1ha. of land which slopes towards the Galway/Moycullen Road, the N59 - a Class II Control Route as defined in the County Development Plan. Access is proposed directly onto this road at a point where the maximum speed limit applies. The County Development Plan policy is to restrict development along the National Routes where the maximum speed limit applies, as defined in Chapter 8 of the Plan. On occasion, an exception to this policy is made where an essential housing need has been substantiated by a member of a farmholding family and no other lands with more suitable vehicular access is within their ownership.

The current proposal, similarly to Planning Reference Numbers 49365, 61417, 65749, 67921, 69680 and 71601 is unacceptable, as it would contravene the policy of the County Development Plan with regard to restricting vehicular access points along the N59 Class II Control Route and therefore constitute a traffic hazard. In addition, it would contravene the policy of the County Development Plan which makes exception for farmholding families with essential housing needs but who do not have alternative access to lands from other roadways. The applicants family have

confirmed that the family have lands at Chestnut Lane, Dangan Lower - a more acceptable location from a traffic viewpoint.

The current site would appear, from the planning history, to have been acquired in recent years (the first application from Lydons received in early 1990's). To grant permission for the proposal would be precedential for such an undesirable arrangement on further planning applications.

It should also be noted that the house type, a two-storey dwelling of non-traditional design, located at an elevated unscreened position, would be unacceptable and out of keeping with the prevailing pattern of development in the area.

RECOMMENDATION FOR REFUSAL ON THE FOLLOWING REASONS:

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a National Secondary Route where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the route.
2. The proposed development would contravene Chapter 8, Table 8B of the County Development Plan which restricts development to the essential housing needs of farmholders families who do not have alternative access to lands from other roadways. The situation does not apply in this case as there are family lands fronting onto a minor roadway within Galway County Borough.

Further information was not requested in this case.

Decision period was extended to 30/4/1997 in this case.

Latest date for decision to issue: 29/4/1997."

Councillor McCormack on proposing the Section 4 stated that the applicant bought the land on which Outline Permission for a dwellinghouse existed at the time but the permission expired before he had time to build the dwellinghouse. He asked that as planning reference no. 49365 was granted on appeal shouldn't subsequent planning decisions on this site go by the Appeal Board's decision. He said that the lands at Lower Dangan surround the applicant's Father's house and that sites, had already been given to other members of the family. He considered that the applicant was unfortunate as the site was just outside the speed limit.

Councillor O'Neachtain who seconded the proposal commented on the recommendations for refusal and stated that the actual site was bordering on the 30 m.p.h. speed limit. He felt that some discretion should be used when it was such a borderline case. He added that other family lands were not available to the applicant as these lands would accrue to the remaining members of the family. It would cause consternation in the family if this arrangement was upset. He concurred with the planning officer that there was reason for refusal, however this was a border line situation.

Councillor Joe Burke felt that there was an inconsistency in refusing an application on a site which previously had a grant of planning permission namely planning reference no. 49365 and requested clarification on this matter.

Mr. Liam Kavanagh, stated that Outline Permission under planning reference no. 49365 was granted where a substantiated housing need was claimed. He added that the Appeals Bord granted permission and if the dwellinghouse had been built then it would be quite legal. The precedent in renewing permission would not have applied in this case. In relation to the current application he stated that the question of a joint access with a neighbouring landowner had been looked into but this did not materialise.

Councillor Brennan stated that in view of the site being so close to the speed limit the question of the speed limit being adjusted to bring the site within the limit should be examined. Councillor Gavin informed the meeting that this application had a lot of merit. It was a 2.5 acre site, was on the city boundary line and should be carefully examined. Councillor Ryan stated that this was a borderline case and permission should be allowed. He felt that further discussions should take place.

A Vote taken resulted as follows:-

AR SON: Cllrs. T. Byrne, J. Callanan, Deputies Connaughton & O'Cuiv, Cllrs. M. Cunningham, P. Finnegan, M. Finnerty, S. Gavin, T. Hussey, J. Mannion, J. McClearn, Deputy P. McCormack, Senator J. McDonagh, Cllrs. M. Mullins, S. O'Neachtain, M. O'Neill, P. O'Sullivan, P. O'Tuathail, K. Quinn, M. Regan, M. Ryan, E. Varley & T. Walsh. (23)

IN AGHAIDH: Cllrs. J. Brennan, J. Burke & W. Burke. (3)

The Chairman declared the Resolution passed.

RESOLUTIONS OF SYMPATHY

4225

A Resolution of Sympathy was passed with the following:-

Mr. & Mrs. P.J. Qualter, Lackagh, Turloughmore, Co. Galway.

Michael & Eileen Keane, Turla, Ballymoe, Co. Galway.

Mr. Michael O'Connell, Clare Street, Manorhamilton, Co. Leitrim.

Michael & Maureen Hurley, Ballincurry, Glinsk, Co. Galway.

Mr. Sean Kilcar & Family, Brackeragh, Kylebrack, Loughrea, Co. Galway.

VOTE OF CONGRATULATIONS

4226

The Members extended a Vote of Congratulations to Councillor Ryan who celebrated 30 years service as a Councillor. Tributes were made to him for his dedicated service to the County, especially in the Moylough, Mountbellew and Tuam areas.

The Manager, on behalf of the Staff, and on his own behalf wished to be associated with the good wishes conveyed to Councillor Ryan.

Mr. D. Varley, on behalf of the National Union of Journalists, West of Ireland extended good wishes to Councillor Ryan on his 30 years service to County Galway.

Councillor Ryan thanked the Members most sincerely for their good wishes. He also conveyed his thanks and appreciation to the Councillors and Supporters for the splendid celebratory event which was held in Tuam. He expressed his sincere thanks for the loyalty and co-operation extended to him down through the years by the Manager and Staff.

A Vote of Congratulations was also extended to the Roundstone Beach Community who have recently received a 1997 European Award. On behalf of the Council, Councillor Mannion wished to publicly acknowledge the assistance given by the following Staff - T. Kavanagh, C. Wallace, M. Dolly and J. Noone.

The County Manager acknowledged the compliments paid to Council Staff concerned.

MINUTES

4227

The Minutes of the Special Meeting held on 14th March, 1997 were approved by the Council and signed by the Chairman on the proposal of Councillor Mannion, seconded by Councillor Quinn.

On the proposal of Councillor Mannion, seconded by Councillor Ryan, the Minutes of the Monthly Meeting held on 24th March, 1997 were approved by the Council and signed by the Chairman.

The Report of the Joint Meeting of Udaras na Gaeltachta, Galway/Connemara Electoral Areas held on 11th November, 1997 was considered. It was adopted by the Council on the proposal of Councillor Mannion, seconded by An Comhairleoir O'Tuathail.

The Report of the National Monuments Advisory Committee Meeting held on 11th March, 1997 was considered. It was adopted by the Council on the proposal of Councillor Varley, seconded by Councillor Mullins.

The Report of the Galway Electoral Area Committee Meeting held on 7th February, 1997 was considered. It was adopted by the Council on the proposal of Councillor Varley, seconded by Deputy McCormack.

Monthly Meeting - 28/04/1997

The Report of the Tuam Electoral Area Committee Meeting held on 10th February, 1997 was considered. It was adopted by the Council on the proposal of Deputy Connaughton, seconded by Councillor J. Burke.

The Report of the Connemara Electoral Area Committee Meeting held on 10th February, 1997 was considered. It was adopted by the Council on the proposal of Councillor Mannion, seconded by an Comhairleoir O'Tuathail.

The Report of the Loughrea Electoral Area Committee Meeting held on 13th February, 1997 was considered. It was adopted by the Council on the proposal of Councillor Cunningham, seconded by Councillor McClearn.

EYRECOURT/LAURENCETOWN GROUP WATER SUPPLY SCHEME 4228

Deputy Connaughton proposed that standing orders be suspended in order to allow a representative from the Eyrecourt/Laurencetown Group Water Scheme address the Meeting. This proposal was seconded by Councillor Finnegan and agreed by the Council. The Chairman said that he would allow a five minute address.

Mr. James Joyce addressed the Meeting on behalf of the residents of the Eyrecourt/Laurencetown Group Water Supply Scheme. He said that a video has been made highlighting the problems of the Group Scheme. A copy of the video will be made available to the Manager and Members with further copies being furnished to the Minister for the Environment and the Regional Affairs Commissioner, Ms. Monika Wulf Mathies. Plans, etc. have been forwarded to the Department of the Environment. He said that the Minister for the Environment had stated in the Dáil that funding for this scheme will be considered in the 1997 Estimates. The water source is heavily polluted. In a report of a test taken by the Council dated 27th August, 1996, it was stated that the water was unfit for human consumption and was not to be used at all.

Mr. Joyce indicated that the Group were seeking a special supplementary grant of £225,000 from the Department of the Environment to carry out emergency works in order that water can be obtained from the existing water scheme in Ballinasloe Town. Mr. Joyce requested the support of the Council. He thanked the Chairman and Members for allowing him to address the meeting.

The Chairman informed the Members that the Council's Technical Staff would meet with the Technical Advisors to the Group Scheme to discuss proposals for improving the water supply for the scheme. The Members agreed on the proposal of the Chairman, seconded by Deputy Connaughton that problems of the Eyrecourt/Laurencetown Group Water Supply Scheme and recent Government Circulars regarding group water schemes be discussed in detail at Meeting to be held on 9th May, 1997.

Deputy Connaughton stated that monies will be made available shortly for three major schemes. It is hoped that work on these schemes will commence within the next few weeks.

**SALE OF HOUSE AT MOATY, LAURENCETOWN, 4229
BALLINASLOE**

On the proposal of Councillor Mullins, seconded by Councillor Brennan, the Council approved the sale of house at Moaty, Laurencetown, Ballinasloe to Michael Quinn in accordance with Notice dated 2nd April, 1997 under Section 83 of the Local Government Act, 1946 (as amended), which had been circulated to each Member.

SALE OF HOUSE AT CULLAIRBAUN, ATHENRY 4230

On the proposal of Councillor Regan, seconded by Councillor Callanan the Council approved the sale of house at Cullairbaun, Athenry to Ann & Paul Tierney, in accordance with Notice dated 17th April, 1997 under Section 83 of the Local Government Act, 1946(as amended), which had been circulated to each Member.

SALE OF HOUSE AT TULLYVOHEEN, CLIFDEN 4231

On the proposal of Councillor Mannion, seconded by Councillor Ryan the Council approved the sale of house at Tullyvoheen, Clifden to Frank & Martina Acton, in accordance with Notice dated 17th April, 1997 under Section 83 of the Local Government Act, 1946 (as amended), which had been circulated to each Member.

SALE OF LAND AT ARD AOIBHINN, ATHENRY 4232

On the proposal of Councillor O'Sullivan, seconded by Councillor Fimmegan the Council approved the sale of land at Ard Aoibhinn, Athenry to Declan Farrell, in accordance with Notice dated 17th April, 1997 under Section 83 of the Local Government Act, 1946 (as amended) which had been circulated to each Member.

**LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) 4233
REGULATIONS 1994 - AIRPORT ROAD R339**

A Report had been circulated to the Members in which it was stated that the proposed development was in accordance with the proper planning and development of the area. In accordance with Part X of the Local Government (Planning & Development) Regulations, 1994, a Notice was published of the proposed development. No submissions were received.

On the proposal of Councillor Cunningham, seconded by Councillor Ryan, the Council approved, on the Airport Road R339, in the townland junction of Carnmore West, Bawnloughain, Kiltulla and Glemawagh, the construction of 600 metres of single carriage road with footpaths, walls and ancillary works between Parkmore junction to point east of Briarhill School and 1,700 metres of single carriageway with

hard shoulders and verges with ancillary works between Gurrane Road and Carnmore Cross.

DECLARATION OF ROADS TO BE PUBLIC ROADS 4234

Having complied with the Provisions of Section 11 of the Roads Act 1993 and on the proposal of Councillor Cunningham, seconded by Councillor Byrne, the Council agreed to declare road in the Townland of Ballynagran, Gort to be a public road. The road taken in charge commences at terminal point of local road 45017 and extending north for a distance of 115 metres.

Having complied with the Provisions of Section 11 of the Roads Act, 1993 and on the proposal of Councillor Cunningham, seconded by Councillor Byrne, the Council agreed to declare road in the townland of Annagh, Gort to be a public road. The road taken in charge commences at junction with Road 352 and extends north west for a distance of 114 metres in the Townland of Annagh, Gort.

BEACH BYE-LAWS 4235

A Report dated 22nd April, 1997 enclosing a copy of the Draft Beach Bye-Laws was circulated to each Member. A Notice of Intention to make Beach Bye-Laws was published, and a period allowed for the making of submissions. No submissions were received. It was proposed by Councillor Mannion, seconded by Councillor Cunningham and agreed that Galway County Council in accordance with Section 37 of the Local Government Act 1994 hereby adopt the Beach Bye-Laws as published for the County Health District of Galway.

It was proposed by Councillor Mannion, seconded by Councillor Cunningham and agreed that Galway County Council hereby resolve that the Beach Bye-Laws adopted by the Council on 28th April, 1997 shall come into effect on 1st June, 1997.

The Chairman thanked the Members of the Beach Committee and the staff involved in the preparation of these bye-laws.

CASUAL TRADING BYE-LAWS 4236

Mr. T. Kavanagh, Acting Assistant County Manager said that the Draft Casual Trading Bye-Laws were advertised and a period allowed for submissions, as is the procedure under the Casual Trading Act, 1995. Several submissions were received and in one case an Appeal has been made to the District Court.

The Council's Casual Trading Committee considered all the submissions, and recommended some changes as outlined in report dated 22nd April, 1997 which was circulated to each Member. Mr. Kavanagh asked for the Council's agreement in principle to the changes. He said that when appealed to the Courts the bye-laws may

be altered by the Courts. In accordance with the Casual Trading Act 1995, anyone can appeal the bye-laws in the District Court. Councillor Brennan queried how the bye-laws would affect mobile fast-food traders. Mr. Kavanagh said that once the bye-laws have been adopted, the traders apply to the local authorities for a permit, or special event licence. All applications will be considered by the local authority.

Councillor Callanan proposed that the bye-laws be deferred until after the pending court case. Mr. Kavanagh pointed out that the Court might like to hear the Council's view of the submissions as some of the submissions were also the subject of the court appeal.

On the proposal of Councillor Mannion, seconded by Councillor Cunningham the Council agreed in principle to the proposed changes in the Draft Casual Trading Bye-Laws as recommended by the Casual Trading Committee.

ABSTRACT OF ACCOUNTS FOR YEAR ENDED 4237
31st DECEMBER, 1996

A copy of the Abstract of Accounts and a report of the Finance Officer dated 10th April, 1997 was circulated to each Member. The report included full details of receipts and expenditure on revenue and capital accounts for the year 1996. On the proposal of Councillor Ryan, seconded by Councillor Mannion, the Council approved of the expenditure and receipts for each of the Programme Headings listed in the Report.

CIRCULAR L6/97 - ARRANGEMENTS FOR THE 4238
DEVOLUTION OF RESPONSIBILITY FOR CERTAIN
GROUPS & SMALL PUBLIC WATER AND SEWERAGE
SCHEMES TO LOCAL AUTHORITIES

The Members agreed to defer this item to the next Meeting.

REVIEW OF TOWN PLANS 4239

The County Manager said that the Development Plans for scheduled towns of Clifden, Athenry and Tuam are due for revision and updating. Sanction is required from the Minister for the Environment to extend the time for the period of the review. On the proposal of Councillor Mannion, seconded by Councillor Finnegan the Council agreed that a request be sent to the Minister for Environment requesting an extension of one year to review the scheduled town plans (in accordance with the Local Government (Planning & Development Act) 1963).

NOMINATION TO ISLANDS COMMITTEE

4240

On the proposal of Councillor Gavin, seconded by Senator McDonagh, the Council agreed to the nomination of Cathy Ni Ghoill to the Islands Committee. Ms. Ni Ghoill is replacing Mr. P.J. O'Flatharta as representative of the Comharchumann Forba Inis Moir, Kilronan.

KILLARY HARBOUR

4241

The Manager referred to correspondence circulated to Members and informed them that the Department of the Marine recently approved a programme of fishery harbour development projects to be undertaken in 1997. Amongst the projects approved was the carrying out of detailed investigation, design and planning the provision of new landing facilities at Killary Harbour. The expected cost of this project will be £33,000 approx., towards which a 25% contribution from the Council is required. On the proposal of Councillor Mannion, seconded by Councillor Ryan, the Council agreed to contribute the required 25% funding.

CONFERENCES

4242

On the proposal of Senator McDonagh, seconded by Councillor Mannion, the Council agreed that the following Members be nominated and approved to attend the conferences outlined below. The recommendation of the Finance Committee was noted. Details of the estimated costs were given to the Members in accordance with D.O.E. Circular dated 17th December, 1993:-

Conference - 1847-1997 - International Perspectives on the Great Irish Famine - Dublin Castle - 9/10 May, 1997

Cllr. T. Byrne
Cllr. E. Varley
Cllr. T. Hussey
Cllr. M. Ryan

Senator J. McDonagh
Cllr. J. McClearn
Cllr. J. Mannion
Cllr. K. Quinn

MANAGER'S BUSINESS

4243

Additional Funds for R341 - Clifden-Ballyconneely-Roundstone Road

Mr. E. Power, Acting County Secretary referred to correspondence from the Department of the Environment concerning funds for the R341 - Clifden-Ballyconneely-Roundstone Road. The Department of the Environment stated that the 1997 road grants have been fully allocated and no further funds are available this year. The Members noted the correspondence.

Remedial Works for Local Authority Housing

Mr. E. Power stated that approval had been received from the Department of the Environment for remedial works scheme - Gilmartin Road, Tuam to an all-in-budget cost of £283,600. The Members noted the correspondence and welcomed same.

Island Development

Mr. Power stated that following an assessment by the Inter-Departmental Co-ordinating Committee on Island Development that a grant of £22,500 was notified by the Department of the Taoiseach for the Islands.

Derryinver Pier	-	Dredging/Pier Improvements	£16,000
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Inishboffin Island	-	Airstrip Feasibility Study	£ 6,500
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The Members noted the correspondence and welcomed same.

Galway Transportation and Planning Study

Mr. D. O'Donoghue, County Manager informed the Members that a joint meeting of Galway County Council and Galway Corporation will be held in the Corrib Great Southern Hotel, Galway on 26th May, 1997, at 5.30 p.m. to launch the Galway Transportation and Planning Study. The Members noted and welcomed this meeting. The Members agreed that the May Monthly Meeting of the Council will be held in Corrib Great Southern Hotel on Monday, 26th May, 1997 at 3.30 p.m.

Presentation by West of Ireland Holidays Ltd.

The County Secretary said that West of Ireland Holidays Ltd. proposed to give a presentation to the Members at the June Monthly Meeting. This was agreed by the Council.

ANY OTHER BUSINESS

4244

Environmental Campaign 1997

The Chairman formally launched the Environmental Campaign and thanked Ms. C. Greene and Ms. M. Killoran-Coyne in organising the 1997 Campaign. Mr. D. Nelson, Assistant County Manager said that Galway County Council is extremely conscious of the benefits of promoting a cleaner and tidier environment. The focal point of these activities for many communities is the annual Clean-Up and to this end Galway County Council have designated the month of May as the month to clean-up Galway. He stated that skips will be provided to the local communities during the Clean-Up Month.

The Members raised the problems of indiscriminate dumping, the possible use of video for taking prosecutions against litter offenders and the employment of Litter Wardens. The Members welcomed the involvement of schools and the Council's focus on education, to encourage people to be responsible for the environment. They also

welcomed the special grants being made available to Burial Ground Committees, and requested that notices be circulated all community groups, parish committees, etc., throughout the County.

The Assistant County Manager, Mr. D. Nelson thanked the Members for their comments. He said that the Minister for the Environment is introducing Litter Bill to deal with problems of litter and increased penalties. He stated that the 1997 Campaign specially intends to target the litter created outside fast food outlets and automated cash dispensers. He said that an excellent response has been received from financial institutions who will strive to eliminate the litter problem. Mr. Nelson thanked the School Teachers, Principals, Boards of Management, etc. who have taken an extremely active role by becoming involved in the school competitions organised in conjunction with the Environment Campaign.

The Manager informed the Members that the Council will advertise shortly for the recruitment of Gardeners for the towns of Tuam and Loughrea. They will provide professional expertise to help improve the villages of Tuam and Loughrea and surrounding hinterlands.

Mr. O'Donoghue, County Manager said that there are three land-fill sites in the County, namely Carrowbrown, Tuam and Ballinasloe. Galway Corporation applied for permission to extend Carrowbrown Dump. This was granted by Galway County Council. However, upon appeal to An Bord Pleanála, dumping is limited for 2 years for certain waste. Therefore, there is an obligation on both Galway Corporation and Galway County Council to identify new land-fill sites. It is hoped to have a report in relation to this matter in June, 1997.

Councillor J. Brennan wished to publicly acknowledge the tremendous work carried out in the Ballinasloe area by Council Employee, Jimmy Murphy.

NOTICE OF MOTIONS

N.O.M. NO. 18 - ROAD SAFETY MEASURES - SEN. J. MCDONAGH

4245

The following written reply was given to Senator McDonagh:-

"There are no proposals for improvement of this bend in the 1997 Roadworks Programme. The available resources have been allocated to the improvement of the bend at Smyths corner Baunmore. The location will be considered if funds are available in 1998."

N.O.M. NO. 19 - SHERRY'S, PETERSWELL - CLLR. M. CUNNINGHAM

4246

The following written reply was given to Councillor Cunningham:-

"This section of the N6 National Secondary Route needs re-alignment. It would not be possible to remedy the defects under the Low Cost Accident Reduction Measures Scheme."

N.O.M. NO. 20 - ROAD REPAIRS - CLLR. M. CUNNINGHAM 4247

The following written reply was given to Councillor Cunningham:-

"Repairs will be carried out to the road at this location within the next two weeks."

N.O.M. NO. 21 - ROAD SAFETY MEASURES - CLLR. M. CUNNINGHAM 4248

The following written reply was given to Councillor Cunningham:-

"This location has been included in the Council's submission to the National Roads Authority for funding under the Low Cost Accident Prevention Measures Scheme."

N.O.M. NO. 22 - KILMACDUAGH CEMETERY - CLLR. M. FAHY 4249

The following written reply was given to Councillor Fahy:-

"I am to inform you that it is proposed to take out the entrance steps which are located approx. half way along the front boundary of the cemetery and to replace them with a wicker gate. This work which will improve access to the cemetery, will be carried out in the latter part of 1997."

It is not considered feasible to provide a second gate suitable for access by a hearse at this cemetery."

N.O.M. NO. 23 - SPEED RAMPS - CLLR. M. FAHY 4250

The following written reply was given to Councillor Fahy:-

"This matter is being investigated and a reply will be available for the next meeting."

N.O.M. NO. 24 - IMPROVEMENT WORKS - CLLR. M. FAHY 4251

The following written reply was given to Councillor Fahy:-

"Some improvements at this junction have been included in the submission to the National Roads Authority for funding under the Low Cost Safety Improvement Measures Scheme. The principal cause of accidents at this location is due to excessive speed on the N6 National Primary Route."

"This section of the N6 National Secondary Route needs re-alignment. It would not be possible to remedy the defects under the Low Cost Accident Reduction Measures Scheme."

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N.O.M. NO. 25 - CARAVAN PARKING - CLLR. P. FINNEGAN 4252

The following written reply was given to Councillor Finnegan:-

"The caravan at above location has left the area."

N.O.M. NO. 26 - KILKERRIN SEWERAGE SCHEME - CLLR. P. FINNEGAN 4253

The following written reply was given to Councillor Finnegan:-

"A Preliminary Report for a proposed sewerage scheme in Kilkerrin was prepared by Galway County Council and submitted to the Department of the Environment on 30th June, 1992. Approval to proceed to the preparation of Contract Documents has not yet been received."

N.O.M. NO. 27 - KILCUMMIN BURIAL GROUND - CLLR.S. GAVIN 4254

The following written reply was given to Councillor Gavin:-

"I wish to inform you that Galway County Council have entered into discussions with the landowner adjoining the Kilcummin Burial Ground with a view to the acquisition of land for an extension to the burial ground. The negotiations with the landowner have yet to be concluded."

N.O.M. NO. 28 - BYE-PASS - CLLR. S. GAVIN 4255

The following written reply was given to Councillor Gavin:-

"A bye-pass route has been included in the County Development Plan for Moycullen. The need for a bye-pass will be examined by the Galway Transportation and Planning Study which is about to commence."

N.O.M. NO. 29 - ROAD REPAIRS - CLLR. S. GAVIN 4256

The following written reply was given to Councillor Gavin:-

"These roads are currently being repaired."

N.O.M. NO. 30 - ROAD SURFACING - CLLR. M. LOUGHNANE 4257

The following written reply was given to Councillor Loughnane:-

The following written reply was given to Senator McDonagh:-

"This road is not included in this year's Roadworks Programme. It will be considered when the 1998 programme is being compiled subject to availability of funding."

N.O.M. NO. 31 - ROADS - CLLR. M. LOUGHNANE 4258

The following written reply was given to Councillor Loughnane:-

"This location will be examined by the Council's Design Team to establish what if any safety measures are required."

N.O.M. NO. 32 - DRAINAGE - CLLR. M. LOUGHNANE 4259

The following written reply was given to Councillor Loughnane:-

"There is a twenty five metre stone culvert along the hard shoulder which has collapsed. It will be piped in the next four to five weeks and that should solve the flooding problem."

N.O.M. NO.33 - SEWERAGE - DEPUTY P. McCORMACK 4260

The following written reply was given to Deputy McCormack:-

"I wish to advise you that Galway County Council have not yet prepared a Preliminary Report for a sewerage scheme in Clonbur. It is intended to carry out a detailed examination of the need for waste water treatment in the town in 1997. The findings of this study will allow the Council to consider in greater detail the provision of a sewerage scheme in Clonbur."

N.O.M. NO. 34 - FOOTPATHS - SEN. J. McDONAGH 4261

The following written reply was given to Senator McDonagh:-

"The budget available for footpath restoration in Claregalway this year is £10,000. This will be used to maximum effect."

N.O.M. NO. 35 - WARNING LIGHTS - SEN. J. MCDONAGH 4262

The following written reply was given to Senator McDonagh:-

"The lights have been obtained and the ducting work is done. The installation of the lights by the E.S.B. is awaited."

N.O.M. NO. 36 - SPEED LIMIT - SEN. J. McDONAGH 4263

The following written reply was given to Senator McDonagh:-

"The recent roadworks at this location have improved the situation from a safety view point. The road has been widened and newly surface dressed with new lining and road studs and vertical alignment has been improved.

It is not proposed to provide traffic calming measures or a speed limit."

N.O.M. NO. 37 - SPEED LIMIT - CLLR. P. McHUGH 4264

The following written reply was given to Councillor McHugh:-

"The present location of the speed limit in the village is considered to be satisfactory. the Curry/Anbally junction is some distance outside the village and it would not be appropriate to extend the speed limit to this extent."

N.O.M. NO. 38 - PUBLIC LIGHTS - CLLR. P. McHUGH 4265

The following written reply was given to Councillor McHugh:-

"This matter will be pursued with the E.S.B."

N.O.M. NO. 39 - PLAYGROUND - CLLR. P. McHUGH 4266

The following written reply was given to Councillor McHugh:-

"Arrangements will be made for discussions to take place between the local residents and the Housing Staff of Galway County Council to examine the development of a recreation area at this location."

N.O.M. NO. 40 - REILG CUIGEAL - AN. COMH. 4267
C. NI FHATHARTA

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Is mian liom a chur in iúil duit go raibh talamh le diol sa cheantar ach ní raibh sé oiriúnach chun an reilg a leathnú.

Beidh an reilg I tSeanbhaile críochnaithe sa Samhraidh agus beidh níos mó ná 350 spáiseanna le fáil ann."

N.O.M. NO. 41 - FLASHING LIGHTS - AN COMH. C. 4268
NI FHATHARTA

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Tá na soilsí ceannaithe agus táimid ag fanacht ar B.S.L obair speisialta leictreachas a dhéanamh."

N.O.M. NO. 42 - TRA AN DOILIN - AN COMH. C. 4269
NI FHATHARTA

Seo leanas an freagra a tugadh do'n Comhairleoir Ni Fhatharta:-

"Tá an Chomhairle ag iarraidh an talamh a cheannach chun an áit parcail a chur chun cinn."

N.O.M. NO. 43 - BOTHAR - AN TEACHTA E. O CUIV 4270

Seo leanas an freagra a tugadh do'n Teachta O Cuiv:-

"Nil an bóthar seo faoi churaim an Chomhairle. Cosnódh se timpeall £3,500 é a thabhairt suas go caighdeán réasúnta."

N.O.M. NO. 44 - BRIDGE - DEPUTY E. O'CUIV 4271

The following written reply was given to Deputy O'Cuiv:-

"A consultant has been asked to prepare a Preliminary Report on the bridge and it is hoped to progress the matter following the finalisation of same."

N.O.M. NO. 45 - REPAIRS TO SEA WALL - DEPUTY 4272
E. O'CUIV

The following written reply was given to Deputy O'Cuiv:-

"Repairs have been carried out to the Sea Wall. Maintenance work has been carried out to the road in Ross and pot holes have been filled. This road is considered to be in relatively reasonable condition."

N.O.M. NO. 46 - ROAD REPAIRS - CLLR. S. 4273
O'NEACHTAIN

The following written reply was given to Councillor O'Neachtain:-

"The pot holes on this road will be repaired in the near future. It is not feasible to carry out further repairs on this road as considerable development is being carried out."

N.O.M. NO. 47 - PLAYGROUND - CLLR. S. 4274
O'NEACHTAIN

The following written reply was given to Councillor O'Neachtain:-

"The Council is currently investigating the matter and will revert to you in due course."

N.O.M. NO. 48 - ROAD REPAIRS - CLLR. S. O'NEACHTAIN 4275

The following written reply was given to Councillor O'Neachtain:-

"This road will be repaired as part of routine maintenance."

N.O.M. NO. 49 - ROAD REPAIRS - CLLR. K. QUINN 4276

The following written reply was given to Councillor Quinn:-

"This road is included in the five year Roads Programme for surface dressing in 1999 subject to availability of funds."

N.O.M. NO. 50 - ROAD REPAIRS - CLLR. K. QUINN 4277

The following written reply was given to Councillor Quinn:-

"This road will be considered for inclusion in the 1998 Roadworks Programme subject to availability of funding."

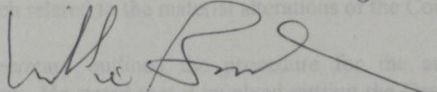
N.O.M. NO. 51 - ROAD REPAIRS - CLLR. K. QUINN 4278

The following written reply was given to Councillor Quinn:-

"This road will be considered for inclusion in the 1998 Roadworks Programme subject to availability of funding. In the meantime routine maintenance will be carried out."

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted. Approved. Signed:



Chairman

26th May 1997

Date