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**Galway County Council Archives**

**GALWAY COUNTY COUNCIL,  
COUNCIL MINUTES**

**GC/1/39**

**14 JULY 1997 - 20 JULY 1998**

## COMHAIRLE CHONTAE NA GAILLIMHE

### **MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT MERLIN PARK, GALWAY ON MONDAY, 20TH JULY, 1998**

**CATHAOIRLEACH:** An Comhairleoir J. Brennan

**LEAS CHATHAOIRLEACH:** An Comhairleoir M. Ryan

#### **I LATHAIR FREISIN:**

##### **Baill:**

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

##### **Oifigigh:**

Messrs. D. O'Donoghue, Co. Manager, J.  
Tierney, Assistant Co. Manager, T.  
Kavanagh, A/Asst. Co. Manager, R.C. Killeen,  
A/Deputy Co. Engineer, E. Lusby, Finance  
Officer, E. Power, A/Co. Secretary, D. Barrett,  
A.O., T. Connell, S.S.O. & E. Hourigan,  
A/S.O.

*Thosnaigh an crinniu leis an paidir.*

*In the absence of the Chairman, Councillor Brennan, Councillor Ryan, Leas Chathaoirleach took the Chair.*

*Mr. E. Power, A/County Secretary informed the Members of an error in the sequence of Minute numbers. He indicated that the Minute numbers would be amended following adoption of the Minutes by the Members.*

#### **MINUTES**

4992

*The Minutes of the Special Meeting held on 10th July, 1998 were approved by the Council and signed by the Chairman on the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor O'Neill.*

**Monthly Meeting - 20/07/1998**

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*The Minutes of the Monthly Meeting held on 22nd June, 1998 were approved by the Council and signed by the Chairman on the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor O'Neill.*

*The Report of the Islands Committee Meeting held on 2nd April, 1998 was considered. It was adopted on the proposal of Councillor Gavin, seconded by An Comhairleoir O'Neachtain.*

*The Report of the SPC Sub-Committee Meeting held on 9th June, 1998 was considered. It was adopted on the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor W. Burke.*

*The Report of the Arts Committee Meeting held on 26th June, 1998 was considered. It was adopted on the proposal of Councillor J. Burke, seconded by Councillor O'Neill.*

**MATTERS ARISING FROM MINUTES**

**Report of Loughrea Electoral Area Committee Meeting held on 20th April, 1998 - Athenry Town Plan**

*Councillor Loughnane stated that there was an error in the Minutes regarding the Athenry Town Plan. He requested that the Minutes be withdrawn and re-drafted correctly prior to the next Area Meeting.*

*Mr. T. Kavanagh, Acting Assistant County Manager stated that the Minutes of the Meeting of 20th April, 1998 would have to be adopted by the Loughrea Electoral Area Committee. Accordingly the matter should be dealt with at Electoral Area Committee level in the first instance.*

**Mast at Tonabrukkey - Minute No. 4938**

*An Comhairleoir O'Neachtain requested the current position regarding planning application for the erection of a mast upon Council property at Tonabrukkey.*

*Mr. T. Kavanagh, Acting Assistant County Manager said that documentation had been received but further information was still awaited. The disposal of the site by way of lease may be brought before the Council for consideration prior to the making of a decision on the planning application.*

**Islands Meeting of 2nd April, 1998 - Aran Island Recycling Scheme**

*Councillor Gavin queried the situation regarding the Aran Island Recycling Scheme at Inishmore, in particular a capital contribution by the Council to this project.*

*The Acting County Secretary confirmed that a letter setting out the Council's requirements in relation to the payment of a capital contribution was issued to the Comhar Chumann.*

**Harbour Bye-Laws**

Councillor Gavin requested that the representatives from Inis Mór be forwarded a draft of the proposed Harbour Bye-Laws for Kilonan.

Mr. T. Kavanagh confirmed that a draft of the proposed Bye-Laws were handed to the representatives following the Islands Meeting of 22nd December, 1998.

**TO CONSIDER MATERIAL CONTRAVENTION OF THE 4993  
DEVELOPMENT PLAN FOR THE SCHEDULED TOWN OF  
TUAM IN THE TOWNLAND OF KILLALOONTY FOR  
PERMISSION FOR HOUSING DEVELOPMENT  
APPLICANT: TOM LAVELLE CONSTRUCTION LTD.  
PLANNING REF: 98/187**

Mr. T. Kavanagh, Acting Assistant County Manager informed the Members that the Applicant, Tom Lavelle Construction Ltd. withdrew this planning application on 20th July, 1998.

**TO NOTE AUDITORS REPORT FOR YEAR ENDING 4994  
31ST DECEMBER, 1998**

A Report from the Finance Officer dated 13th July, 1998 enclosing a copy of the Auditors Report for year ended 31st December, 1996, was circulated to each Member. On the proposal of Councillor Mullins, seconded by Deputy Connaughton, the Auditors Report for year ended 31st December, 1996 was noted by the Council.

The Chairman, Councillor J. Brennan joined the Meeting and took the Chair. Councillor Brennan thanked Councillor Ryan for his assistance.

**ADOPTION OF CONTROL OF HORSES BYE-LAWS 4995**

A copy of the Control of Horses Bye-Laws Committee Reports dated 25th May and 12th June, 1998, together with revised Draft Control of Horses Bye-Laws for County Galway were circulated to each Member.

The Draft Bye-Laws were available for inspection by members of the public during the period 27th February to 3rd April, 1998, inclusive. Written submissions were received up to 17th April, 1998. The following submissions were received and had been circulated to the Members for consideration:-

**Submission No. 1**

From: Association of Irish Riding Clubs Ltd.

*The Association of Irish Riding Clubs Ltd., prior to the publication of the Draft Bye-Laws expressed support in principle for the provisions of the Control of Horses Act, but expressed concern that there would be a consistent approach by Local Authorities in the making of Bye-Laws. The Association was concerned about restrictions which might be imposed on their Members, particularly with regard to the use of horses on public roads.*

**Submission No. 2**

*From: Show Jumping Association of Ireland*

*The submission from the Show Jumping Association of Ireland, Connacht Region. Submitted before the publication of the Bye-Laws expressed concern at the imposition of a licence fee on their members and suggesting that such fees would be waived.*

**Submission No. 3**

*From: Irish Pony Society Western Area*

*The submission received prior to the publication of the Draft Bye-Laws requested exemption for their members from the licensing provisions.*

**Submission No. 4**

*From: Mr. Owen Ward, 25 Tirboy Estate, Tuam, Co. Galway*

*Submission referring to the difficulties experienced by members of the Traveller Community in renting land and requested that the County Council arrange for the provision of land on which Travellers might keep their horses.*

**Submission No. 5**

*From: Tuam Travellers Education and Development Association*

*Submission on behalf of members of the Travelling Community who are signatories to the submission which requests that Travellers be exempted from the provisions of the Control of Horses Act, that the Local Authority make land available for rent to Travellers for the keeping of horses and that grants and loans be made available to travellers to enable them to meet the requirements of the Control of Horses Act.*

**Submission No. 6**

*From: Irish Traveller Movement*

*Submission from the Irish Traveller Movement regarding the impounding of horses, the issue of the availability of land to Travellers with horses and the Traveller culture and traditional rights, together with a covering letter received from the Department of Agriculture and Food.*

**Submission No. 7**

*From: Concerned Horse Enthusiasts Group*

*Concerning the principle, nature and implementation of the Bye-Laws*

Monthly Meeting - 20/07/1998

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Submission No. 8

From: Councillor Pat O'Sullivan

Submission suggesting various amendments to the Bye-Laws

Submission No. 9

From: Ballinasloe Fair and Festival Company

Submission No. 10

From: Mr. Christopher Costello, Gardenia House, Lils cappaul, Macney, Ballinasloe

Horses Hunts

Submission No. 11

From: Councillor Joe Burke

Provision of land for Travellers' horses.

The submissions were considered by the Members at Meeting on 22nd June and the following amendments were proposed and agreed by the Council:-

**Bye-Law No. 5** - Insertion of "or other suitable tackle" after the word "bridle"

**Bye-Law No. 6** - Insertion of "and/or land" after the word "premises" on the first line.

- Insertion of "deemed to be" after the words "shall be" on the second line.

- Insertion of "and/or land" after the word "premises" on the third line.

- Insertion of "/on" after the word "in" on the third line.

**Bye-Law No. 6 (a)** - Insertion of "in the opinion of the Council" after the word "times".

- Deletion of line "and shall comply with the standards of construction as outlined in Part III Schedule B of these Bye Laws" after the word "cleanliness".

**Subsequent Bye-Laws:** Adjust for renumbering of schedules consequent to the deletion of Schedule B.

**Schedule B:** Delete

Councillor Mullins requested that the following changes also be considered:-

1. People with a herd number be exempted from holding a licence
2. People on an Eleven month land lease be exempted from licensing

3. *Show people who are involved in pony trekking only be required to notify Local Authority of their activities.*

*Deputy Connaughton stated that the schedule be adjusted to take into consideration horses that are not housed during the Winter, i.e. Connemara Ponies. He also requested that a General Certificate be issued to Show Organisers at beginning of the year.*

*Councillor Callanan agreed with Councillor Mullins request that people on an eleven month land lease be exempted from licensing. He also requested clarification to Bye-Law No. 8(a) - availability of food and water while horses are at market or fairs.*

*Councillor Hussey asked whether the proposed Bye-Laws are to be confined to urban areas only.*

*An Comhairleoir Ni Fhatharta expressed dissatisfaction with the term "Landowner", being defined as a person who is entitled to lands or a leasehold interest of five years. Councillor Callanan agreed with An Comhairleoir Ni Fhatharta. He stated that a vast majority of land leases are under the eleven month system. Councillor Callanan requested that the definition of landowner be reviewed.*

*Deputy Connaughton proposed as a compromise that the term "Landowner" be amended to three year lease rather than five years as stated.*

*Mr. John Tierney, Assistant County Manager in reply to Members' queries stated that the purposes of the proposed Bye-Laws are to control horses; make provision for the licensing of horses; to ensure that horses are not a danger to the public, property; or cause a nuisance, and to ensure that horses are kept in a proper manner.*

*Mr. Tierney stated that there are generous exemptions outlined in 3(B) and 3(c) of Part II of the Bye-Laws. He confirmed that a calendar of proposed events, i.e. hunts, Shows and trekking, could be forwarded to the Council at beginning of the year. The Control Area outlined in the Bye-Laws is for the whole county, and Mr. Tierney highlighted the need for controls in both urban and rural areas.*

*In regard to Councillor Callanan's query regarding provision of food and water for horses at markets/fairs, Mr. Tierney stated that this provision ensures that horses are kept in a proper manner, and not in a distressed condition. The specification for the stabling of horses is limited and the Council may consider adding some standards in order to have consistency amongst Local Authorities. Mr. Tierney stated that the Council will observe the operation of the Bye-Laws and review same, if necessary.*

*Mr. Tierney stated that in regard to the definition of term "Landowner", Legal advice was sought and five years land lease was recommended. Legal advice must now be sought whether this can be replaced by three year land lease.*

*On the proposal of Deputy Connaughton, seconded by Councillor Callanan, the Council agreed that legal advice be sought regarding three year land lease.*

The Assistant County Manager indicated that the adoption of the Bye-Laws for the Control of Horses would be placed on the agenda for the Council Meeting to be held on 10th August, 1998.

The Members complimented Mr. Tierney, for presentation of the Draft Bye-Laws on the Control of Horses. Deputy Connaughton requested that any inspections carried out by the Council are conducted by person(s) with a knowledge of horses. It was stressed that once the Bye-Laws are adopted, that Galway County Council should ensure that these Bye-Laws are rigorously enforced.

Councillor Finnerty complimented the Assistant County Manager and all Staff involved in preparation of Bye-Laws. He highlighted inadequate fines imposed in cases of horse driven gigs being driven/raced 2/3 abreast along public roads. Councillor Finnerty proposed that the fines imposed be increased in line with fines contained under the Control of Horses legislation. Deputy Connaughton seconded this proposal.

The County Manager stated that this matter is a separate issue and is subject to a Court of Law.

**GRANT TO SCOIL MHUIRE GAN SMÁL, CREAGH 4996  
BALLINASLOE**

On the proposal of Councillor Finnerty, seconded by Councillor Mullins, the Council agreed to give Scoil Mhuire Gan Smál, Creagh, Ballinasloe, a grant of £100 towards their project, which was successful in winning the recent ESSO Schools Wildlife Challenge.

**CONFERENCES 4997**

On the recommendation of the Finance Committee, it was proposed by Councillor Mannion, seconded by Deputy Connaughton and agreed that the attendance of the following Members be approved at the Conferences set out hereunder, the costs of the conferences having been circulated to each Member:-

**Spirit of Ireland - Boston - 11-18 June, 1998**

Councillor M. Finnerty

**Spirit of Galway - Milwaukee - 12-19 August, 1998**

Senator J. McDonagh (replacing Chairman Cllr. J. Brennan)  
An Comhairleoir O'Neachtain

**General Council of County Councils Annual Conference - 2-4 July 1998**

An Comhairleoir C. Ni Fhatharta



*The attendance of the Chairman, Councillor M. Finnerty at the Galway Men's Association - Coventry Convention, held on 2nd May, 1998 was also approved.*

**MEETINGS**

**4998**

**SPC Sub-Committee**

*The Members agreed that a Meeting of the SPC Sub-Committee be held on Tuesday, 28th July 1998, in the Council offices, Liosban Retail Centre, Tuam Road commencing at 2.00 p.m.*

**Tuam Electoral Area Committee**

*It was agreed that a Meeting of the Tuam Area Committee be held on Friday, 24th July, 1998, in the Council Offices, Liosban Retail Centre, commencing at 12.00 noon.*

**Galway Electoral Area Committee**

*It was agreed that a Meeting of the Galway Electoral Area Committee be held on Friday, 14th August, 1998 commencing at 2.00 p.m.*

**Loughrea Electoral Area Committee**

*The Members were informed that the Loughrea Area Committee Meeting will be held on Monday, 27th July, 1998 and not 21st July, as previously arranged.*

**MANAGER'S BUSINESS**

**4999**

**Expenses of Members**

*The Acting County informed the Members of the revised expenses of Members as outlined in Circular LGP 5/98 dated 3rd July, 1998. The revised Annual Allowances, Strategic Policy Committees - Chairs' Allowance and External SPC Members Expenses were approved by the Council on the proposal of Councillor O'Sullivan, seconded by Councillor Finnerty.*

**Western Development Commission**

*The Acting County Secretary read letter from Western Development Commission dated 29th June, 1998. On the proposal of Councillor O'Sullivan, seconded by Councillor Callanan, the Members agreed that a letter of support issue to the Western Development Commission for their efforts to upgrade the rail network in the Western Region.*

## CHAIRMAN'S BUSINESS

5000

### House - Reconstruction/Improvement Grant

Following Galway County Council's Housing submission which was forwarded to the Minister on 26th February, 1998, Councillor McClearn proposed that a letter be written to the Minister for the Environment and Local Government, requesting the reintroduction of the Reconstruction/Improvement Grant for houses. Councillor McClearn requested that this letter also be circulated to the other Local Authorities.

Councillor O'Sullivan seconded this proposal. He stated that all housing grants etc. should be brought under the control of the County Council.

### Notice of Motions

Councillor Gavin referred to replies he received to Notice of Motions Nos. 13 and 14. He requested that the erection of road directional signs at Collinamuck - Cloonbinna and Killanin-Ower Cross-roads together with improvements to the road in the vicinity of Corrandulla Barracks be re-examined in the interest of road safety.

Councillor Varley requested the Council to cut the trees at Corrandulla Cross-roads.

### Planning Office

Cllr. J. Burke stated that difficulties have been experienced in the operation of the planning office and he requested that the office be more customer orientated.

The Manager stated that the original number of technical posts was six. This has now been increased to twelve. He indicated that it takes time to train people and the holiday season had an impact on the situation.

The Manager stressed that the Council have assisted the public by producing a booklet on how to make a planning application. He referred to the Annual Seminars and Advice Centres which have been arranged to make people aware of planning requirements with the aim of reducing the number of requests for further information.

Requests for further information are issued where the application received may be incomplete, or in cases where further clarification is required.

### Housing Of Travellers in Clontuskert Area

Cllr. P. O'Sullivan highlighted case of 8/9 caravans encamped adjacent to housing scheme in Clontuskert area. The local people co-operated with the Council in permitting housing of Travellers. However, the current situation is intolerable. Cllr. Callanan agreed with sentiments expressed by Cllr. O'Sullivan and requested that the situation be rectified.

Mr. John Tierney, Assistant County Manager stated that he was aware of the situation in Clontuskert. He met with the residents and arranged for certain works to be

carried out. Mr. Tierney confirmed that the Council is endeavouring to have the additional caravans removed from the area as soon as possible.

Mr. Tierney confirmed that the duties of the Halting Site Caretaker had been extended. Upon completion of further Group Housing Scheme and improvement works, consideration will be given to the employment of a second Caretaker.

**NOTICE OF MOTIONS**

**N.O.M. NO. 8 - ROADWORKS - CLLR. M. CUNNINGHAM 5001**

The following written reply was given to Councillor Cunningham:-

"This road is included for improvement in this year's roadworks programme. The road will be raised at the location referred to and some banks will be removed to minimise flooding. The work will be carried out over the coming months."

**N.O.M. NO. 9 - SPEED LIMIT SIGNS - CLLR. M. CUNNINGHAM 5002**

The following written reply was given to Councillor Cunningham:-

"This location does not warrant speed limits. If the community wish to purchase "drive slowly" signs the Council would be prepared to erect them."

**N.O.M. NO. 10 - TEMPORARY EMPLOYEES - CLLR. M. FAHY 5003**

The following written reply was given to Councillor Fahy:-

"The County Council employs additional temporary employees from time to time, having regard to the financial resources available and the work programmes being undertaken.

It is not proposed to change the status of these employees as no commitments beyond temporary employment can be given by the Council."

**N.O.M. NO. 11 - REPAIRS TO BRIDGE - CLLR. M. FAHY 5004**

The following written reply was given to Councillor Fahy:-

"This bridge or the road referred to are not in charge of the Council."

**N.O.M. NO. 12 - GRASS & HEDGE CUTTING - CLLR. M. 5005  
FAHY**

The following written reply was given to Councillor Fahy:-

*"Verge trimming is being carried out on the National Primary, National Secondary and busier local roads and on roads where surface dressing or restoration is being done as far as resources allow. There is limited funding available for this work and priorities have to be set accordingly.*

*Hedge trimming is the responsibility of the landowners concerned."*

**N.O.M. NO. 13 - DIRECTION SIGNS - CLLR. S. GAVIN 5006**

The following written reply was given to Councillor Gavin:-

*"There are no funds available this year to provide increased signage on these roads. It will be included in the 1999 Road Works Programme."*

**N.O.M. NO. 14 - ROAD IMPROVEMENTS - CLLR. S. 5007  
GAVIN**

The following written reply was given to Councillor Gavin:-

*"This junction will probably be improved in 1999 if the National Secondary Roads Plan goes ahead with the level of funding anticipated. The level of funding will dictate whether or not improvements can be carried out.*

*This location will be considered when the next review of speed limits is carried out in two years time."*

**N.O.M. NO. 15 - ROAD IMPROVEMENTS - CLLR. S. 5008  
GAVIN**

The following written reply was given to Councillor Gavin:-

*"There are no funds available to carry out this work. If the Udarás sponsored Community Employment Scheme was willing to do the work the Council would co-operate in any way possible."*

**N.O.M. NO. 16 - REPAIRS TO WALL - CLLR. M. 5009  
LOUGHNANE**

The following written reply was given to Councillor Loughnane:-

*"The wall is private property and not the responsibility of the Council. It has now been repaired by the landowner."*

**N.O.M. NO. 17 - VERGE TRIMMING - CLLR. M. LOUGHNANE 5010**

The following written reply was given to Councillor Loughnane:-

*"It is proposed to carry out verge trimming on this road this week. Water tables will be cleaned in a couple of months time."*

**N.O.M. NO. 18 - PUBLIC LIGHTING - CLLR. M. LOUGHNANE 5011**

The following written reply was given to Councillor Loughnane:-

*"The village is not included in this year's Public Lighting Programme. It will be considered when the 1999 programme is being compiled."*

**N.O.M. NO. 19 - COASTAL EROSION - DEPUTY P. MCCORMACK 5012**

The following written reply was given to Deputy McCormack:-

*"Work is at present in progress at this location and should be completed within the next few weeks."*

**N.O.M. NO. 20 - SIGNS - SEN. J. MCDONAGH 5013**

The following written reply was given to Senator McDonagh:-

*"The warning signs are considered to be adequate. Some road improvement will be carried out at this location shortly which should improve the situation."*

**N.O.M. NO. 21 - SEWERAGE SCHEME - SEN. J. MCDONAGH 5014**

The following written reply was given to Senator McDonagh:-

*"There are no proposals for a sewerage scheme in the village of Lackagh at present. As you are aware the Council are in the process of preparing action plans for the satellite villages of Galway City and consideration will be given to examining the village of Lackagh in due course."*

**N.O.M. NO. 22 - SPEED LIMIT - SEN. J. MCDONAGH 5015**

The following written reply was given to Senator McDonagh:-

*"Extension of speed limit at this location is not recommended. The situation will be reassessed when the next review of speed limits is carried out in two years time."*

**N.O.M. NO. 23 - UISCI POIBLI - AN COMH. C. NI 5016**  
**FHATHARTA**

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

*"Beidh an uisce poibli ar fáil do na cheantair Camus agus Scriob san Tionscadal Comhshaoil Chonamara . Tá na pleananna ag an Roinn Chomhshaoil agus Rialtais Aitiuil faoi lathair."*

**N.O.M. NO. 24 - BOTHAR - AN COMH C. NI 5017**  
**FHATHARTA**

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

*"Déanfar scrúdú ar an scéal agus beidh freagra ar fáil ag an chéad chuimniú eile."*

**N.O.M. NO. 25 - FOIRMEACHA IARRTAIS - AN COMH 5018**  
**C. NI FHATHARTA**

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

*"I lathair na h-uaire tá foirmeacha iarratais ar fáil as gaeilge in oifig phobail na motorchánach.*

*Cuirfidh an Roinn Riamhaire I Sionna, Co. an Chláir foirm athmuachán as gaeilge sa phost d'aon duine a theastionn se uaidh."*

**N.O.M. NO. 26 - ROAD REPAIRS - CLLR. J. CONNEELY 5019**

The following written reply was given to Councillor Conneely:-

*"Repairs will be carried out on this road within the next two weeks."*

**N.O.M. NO. 27 - CAR PARK - CLLR. J. CONNEELY 5020**

The following written reply was given to Councillor Conneely:-

*"There is no provision for this car park in this year's estimates. This project would be costly as land acquisition will be necessary."*

**N.O.M. NO. 28 - ROAD REPAIRS - CLLR. J. CONNEELY 5021**

The following written reply was given to Councillor Conneely:-

*"Routine maintenance will be carried out in the near future."*

**N.O.M. NO. 29 - TRAFFIC BARRIER - AN. COMH. S. 5022**  
**O'NEACHTAIN**

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

"This issue has been discussed with a number of users of the road but there is no overall agreement to date on the matter. The Council is prepared to put a gate at the entrance to the road and to erect No Dumping signs.

**N.O.M. NO. 30 - FOOTPATHS - AN COMH. S. 5023**  
**O'NEACHTAIN**

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

"This matter will be examined and a reply will be available for next meeting."

**N.O.M. NO. 31 - VERGE TRIMMING - CLLR. P. 5024**  
**O'SULLIVAN**

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

"Verge trimming was carried out recently. There are no plans however to upgrade surface."

**N.O.M. NO. 32 - FLOODING - CLLR. P. O'SULLIVAN 5025**

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

"Old gullies in the vicinity of Mr. Mee's house have now been cleaned and this should alleviate the problem."

**N.O.M. NO. 33 - CARPARKING - CLLR. K. QUINN 5026**

The following written reply was given to Councillor Quinn:-

"This matter will be investigated and a reply will issue for next meeting."

**N.O.M. NO. 34 - ROAD IMPROVEMENTS - CLLR. K. 5027**  
**QUINN**

The following written reply was given to Councillor Quinn:-

"This road will be considered when the Five Year Plan for Non National Roads is reviewed later this year."

**N.O.M. NO. 35 - ROAD IMPROVEMENTS - CLLR. K. QUINN 5028**

The following written reply was given to Councillor Quinn:-

"This road will be considered when the Five Year Plan for Non National Roads is reviewed later this year."

**N.O.M. NO. 36 - ROAD IMPROVEMENTS - CLLR. E. VARLEY 5029**

The following written reply was given to Councillor Varley:-

"This road will be considered when the Five Year Plan for Non National roads is reviewed later this year."

**N.O.M. NO. 37 - TRAFFIC CALMING MEASURES - CLLR. E. VARLEY 5030**

The following written reply was given to Councillor Varley:-

"The safety aspect at this location is being examined at present and the matter will be pursued with the National Roads Authority if necessary."

**N.O.M. NO. 38 - ROAD - CLLR. E. VARLEY 5031**

The following written reply was given to Councillor Varley:-

"The road will be inspected to assess its suitability for taking in charge."

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted Approved + Signed:

J. Brennan  
Chairman

24<sup>th</sup> August 1998  
Date



## COMHAIRLE CHONTAE NA GAILLIMHE

### **MINUTES OF ANNUAL MEETING OF GALWAY COUNTY COUNCIL HELD AT MERLIN PARK, GALWAY ON MONDAY, 20th JULY, 1998**

**CATHAOIRLEACH:** (a) *An Comhairleoir M. Finnerty*  
(b) *An Comhairleoir J. Brennan*

#### **I LATHAIR FREISIN:**

**Baill:** Cllrs. J. Burke, W. Burke, T. Byrne, J. Conneely, J. Callanan, Deputy P. Connaughton, Cllrs. M. Cunningham, M. Fahy, P. Finnegan, S. Gavin, 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. Ryan, M. Regan, E. Varley & T. Walsh.

**Oifigigh:** Messrs. D. O'Donoghue, Co. Manager, J. Tierney, Asst. Co. Manager, T. Kavanagh, A/Asst. Co. Manager, E. Lusby, Finance Officer, R.C. Killeen, A/Deputy Co. Manager, E. Power, A/Co. Secretary and E. Hourigan, A/S.O.

**Thosnaigh an crinniu leis an paidir.**

#### **ELECTION OF CATHAOIRLEACH FOR 1998/99**

**4985**

Councillor Finnerty expressed his sincere thanks to the Members, Manager and Staff for their co-operation and assistance given to him during his year as Chairman. He stated that he was proud when the Council exercised its right to nominate a candidate for the Presidential Election. Councillor Finnerty noted the Council was approaching a time of change with the establishment of Strategic Policy Committees. He thanked Mr. Kavanagh for this work in relation to the formation of these Committees. Councillor Finnerty thanked the Leas-Cathaoirleach Councillor O'Neill for his help and support during the year.

The Members paid tribute to Councillor Finnerty and expressed their appreciation of the work carried out by him as Chairman of Galway County Council in the course of the year. The Members wished Councillor Finnerty every success in his role as Chairman of Ballinasloe Urban District Council.

*It was proposed by Councillor Gavin, seconded by Councillor J. Burke that Councillor Brennan be elected Cathaoirleach for 1998/1999.*

*It was proposed by Councillor Fahy, seconded by Councillor Hussey that Councillor Regan be elected Cathaoirleach for 1998/1999.*

*A vote was taken on the above proposals, and it resulted as follows:-*

**FOR COUNCILLOR J. BRENNAN**

*Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Cllrs. M. Fimmerty, S. Gavin, J. Mannion, J. McClearn, Sen. J. McDonagh, Cllrs. M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley & T. Walsh (16)*

**FOR COUNCILLOR M. REGAN**

*Cllrs. J. Callanan, J. Conneely, M. Cunningham, M. Fahy, P. Fimmegan, T. Hussey, M. Loughnane, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, K. Quinn & M. Regan (13)*

**ABSTENTION**

*Deputy P. McCormack*

*Councillor J. Brennan was then declared elected Cathaoirleach of Galway County Council for 1998/1999 and was invested with the Chain of Office.*

***Councillor J. Brennan then took the Chair.***

*Councillor Brennan thanked the Members who had voted for him. He stated that he was extremely honoured and privileged to be Cathaoirleach of Galway County Council. He welcomed the forthcoming establishment of the Strategic Policy Committees in September; and the commemoration of the Centenary of Local Government in April 1999 which will coincide with the opening of the Council's new offices.*

*Councillor Brennan stated that he would not be standing in the Local Elections to be held in June 1999, and that during his term as Chairman, he would strive to enhance the public image of Galway County Council.*

*The Members of the Council congratulated Councillor Brennan on his election and wished him success during his year as Cathaoirleach.*

***ELECTION OF LEAS-CHATHAOIRLEACH FOR 1998/1999*** **4986**

*It was proposed by Councillor Fahy, seconded by Councillor Loughnane that Councillor Regan be elected Leas-Cathaoirleach.*

*It was proposed by Senator McDonagh, seconded by Deputy Connaughton that Councillor Ryan be elected Leas-Cathaoirleach.*

*A vote taken on these proposals resulted as follows:-*

**FOR COUNCILLOR M. RYAN:-**

*Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Cllrs. M. Finnerty, S. Gavin, J. Mannion, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley & T. Walsh (17)*

**FOR COUNCILLOR REGAN**

*Cllrs. J. Callanan, J. Conneely, M. Cunningham, M. Fahy, P. Finnegan, T. Hussey, M. Loughnane, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, K. Quinn & M. Regan (13)*

*The Chairman declared Councillor M. Ryan elected Leas-Chathaoirleach.*

*The Members of the Council congratulated Councillor Ryan on his election as Leas-Chathaoirleach. Councillor Ryan thanked all who voted for him.*

*The Manager, on behalf of the Staff and on his own behalf congratulated Councillor Brennan and Councillor Ryan and wished them well in their new roles. He paid tribute to Councillor Finnerty for the manner in which he had discharged his duties as Chairman and in particular for the manner in which he had helped to raise the profile of the County Council.*

**APPOINTMENT OF THREE REPRESENTATIVES 4987  
ON THE GENERAL COUNCIL OF COUNTY COUNCIL'S  
FOR YEAR 1998/1999**

*It was proposed by Councillor Mannion, seconded by Councillor Loughnane and agreed that the out-going representatives be re-appointed. The Members of the General Council of County Council's for 1998/99 are as follows:-*

1. Councillor Cunningham
2. Councillor Finnerty
3. Senator McDonagh

**APPOINTMENT OF NOMINEE TO IRISH PUBLIC BODIES MUTUAL INSURANCES LTD. FOR 1998/1999** **4988**

*It was proposed by Councillor Mannion, seconded by Senator McDonagh that Councillor McClearn be the Council's nominee to the Irish Public Bodies Mutual Insurances Ltd. for 1998/99.*

*It was proposed by Councillor Loughnane, seconded by Councillor Hussey that Councillor Fahy be the Council's nominee to the Irish Public Bodies Mutual Insurances Ltd. for 1998/99.*

*A vote taken on these proposals resulted as follows:-*

**FOR COUNCILLOR MCCLEARN**

*Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Cllrs. M. Finnerty, S. Gavin, J. Mannion, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley & T. Walsh (17)*

**FOR COUNCILLOR FAHY**

*Cllrs. J. Callanan, J. Conneely, M. Cunningham, M. Fahy, P. Finnegan, T. Hussey, M. Loughnane, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, K. Quinn & M. Regan (13)*

*The Chairman declared Councillor McClearn to be appointed as the Council's nominee to the Irish Public Bodies Mutual Insurances Ltd. for 1998/99.*

**APPOINTMENT OF NOMINEE TO VOCATIONAL EDUCATIONAL COMMITTEE** **4989**

*It was proposed by Councillor Mannion, seconded by Councillor Gavin that Councillor Varley be the Council's nominee to the Vocational Educational Committee.*

*It was proposed by Councillor Fahy, seconded by Councillor Cunningham that Councillor Loughnane be the Council's nominee to the Vocational Educational Committee.*

*A vote taken on the proposals resulted as follows:-*

**FOR COUNCILLOR VARLEY**

*Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, Deputy P. Connaughton, Cllrs. M. Finnerty, S. Gavin, J. Mannion, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. M. Mullins, M. O'Neill, P. O'Tuathail, M. Ryan, E. Varley & T. Walsh (17)*

**FOR COUNCILLOR LOUGHNANE**

*Cllrs. J. Callanan, J. Conneely, M. Cunningham, M. Fahy, P. Finnegan, T. Hussey, M. Loughnane, P. McHugh, C. Ni Fhatharta, S. O'Neachtain, P. O'Sullivan, K. Quinn & M. Regan (13)*

*The Chairman declared Councillor Varley to be appointed as the Council's nominee to the Vocational Educational Committee.*

**COUNTY LIBRARY COMMITTEE  
NATIONAL MONUMENTS ADVISORY COMMITTEE  
HIGHER EDUCATION GRANTS COMMITTEE**

**4990**

*It was proposed by Deputy McCormack, seconded by Councillor Finnerty and agreed by the Council that the term of the existing County Library Committee, National Monuments Advisory Committee and the Higher Education Grants Committee be extended until the Strategic Policy Committees come into operation.*

*The Membership of the Committees are as follows:-*

**Members of the County Library Committee**

1. *Cllr. Matt Loughnane, Dunsandle, Kiltulla.*
2. *Cllr. Kathleen Quinn, Ussey, Ballymoe.*
3. *Padraig O Ceidigh, Uasal, An Phairc, An Spideal.*
4. *Mr. Paddy Grealish, Emmis Road, Gort.*
5. *Cllr. Michael Fahy, c/o The Thatch, Ardraham.*
6. *Mr. Leo Hallissey, Renvyle, Connemara.*
7. *Cllr. Paddy McHugh, Beaghmore, Caherlistrane, Belclare P.O., Tuam.*
8. *Mr. Justin Mitchell, Woodlawn, Ballinasloe.*
9. *Mr. Patsy Geraghty, St. Michael's Square, Ballinasloe.*
10. *Mr. Patrick Pettit, Barna, Glenamaddy.*
11. *Mr. Justin Flannery, Blackrock, Peterswell.*
12. *Mr. Paudge Conneely, Aillebrack, Clifden.*
13. *Cllr. Michael Mullins, Cleaghmore, Ballinasloe.*
14. *Cllr. John M. Mannion, Clifden.*
15. *Mr. Sean Tully, Derrymullen, Ballinasloe.*
16. *Mr. Frank Donohue, Coolfin, Abbey, Loughrea.*
17. *Mr. Frank Rushe, Mountbellew.*
18. *Cllr. Patrick Finnegan, 9 Currageh Park, Tuam.*
19. *Mrs. Margaret Counihan, Streamstown, Peterswell.*
20. *Mr. Jimmy Geoghegan, Claremount, Oughterard.*
21. *Mr. Nioclas O'Conchubhair, Lettermore.*
22. *Mr. Tony Leahy, Masonbrook, Loughrea.*
23. *Ms. Kathleen Fallon, Kilgarve, Creagh, Ballinasloe.*
24. *Cllr. Evelyn Varley, The Square, Headford.*

25. *Mr. Joe Donoghue, "La Rochelle", Bel Air Drive, Tuam.*
26. *Ms. Noelle Hayes, Brendan Street, Portumna.*
27. *Senator Jarlath McDonagh, Turloughmore*
28. *Cllr. Tiernan Walsh, Ardeevin, Williamstown.*
29. *Cllr. Michael Ryan, Moate, Moylough.*
30. *Mr. Maurice Whelan, Scoil Mhuire, Moycullen.*

**MEMBERS TO THE NATIONAL MONUMENTS ADVISORY COMMITTEE**

**Full Members**

1. *Cllr. Michael Cunningham, Galway Road, Gort.*
2. *Cllr. Matt Loughnane, Dunsandle, Kiltulla*
3. *Mr. James Joyce, Laurencetown, Ballinasloe.*
4. *Cllr. Kathleen Quinn, Ussey, Ballymoe, Co. Galway.*
5. *Mr. John Joe Duggan, Liscaninane, Claregalway.*
6. *Cllr. Michael Finnerty, Tobergrellan, Ballinasloe.*
7. *Mr. Michael Conneely, Monivea, Co. Galway.*
8. *Ms. Erin Gibbons, Market Street, Clifden.*
9. *Cllr. Evelyn Varley, The Square, Headford.*
10. *Mr. Pierce Joyce, St. Bridget's Road, Portumna.*
11. *Mr. Michael Forde, Lodge, Headford, County Galway.*

**Honorary Members**

1. *Ms. Fidelma Mullane, Udaras na Gaeltachta.*
2. *Mr. Larry Kilcommins, Creggs.*
3. *Mr. Martin Concannon, Ballinvoher, Turloughmore.*
4. *Mr. Tom Kenny, Ballygar.*
5. *Rev. J. Kelly, P.P. Ardrahan.*
6. *Mr. Thomas Creaven, Fairgreen, Tuam.*
7. *Mr. Michael Conneely, Culicar, Monivea.*
8. *Rev. P.K. Egan, P.P. Portumna.*
9. *Mr. Norman Morgan, Bride Street, Loughrea.*
10. *Prof. Etienne Rynne, U.C.G.*
11. *Mr. Michael Fahy, Gort Road, Loughrea.*
12. *Mr. Garry O'Loughlin, 63 Cruachan Park.*
13. *Mr. Miko Kelly, Church View, Tuam.*
14. *Mr. Frank Burke, N.T., Abbey.*
15. *Mr. Eoin Kennedy, 27 Hollygrove, Lisbeglawn, Renmore.*
16. *Mr. Paul Gosling, Dept. of Archaeology, U.C.G.*
17. *Mrs. Mary McDonagh, 15 Devon Gardens, Salthill.*
18. *Michael Uas Breathnach, Vocational School, Gort.*
19. *Jackie Uí Cionna, Member of Civic Trust.*
20. *Mr. Jeff O'Connell, Kinvara.*
21. *Mr. John Joe Duggan, Claregalway.*
22. *Mrs. Anna McHugh, Ballybane, Headford.*
23. *Mr. Hubert Bermingham, Church Street, Dunmore.*

24. Mr. John Rabbitte, Kiltulla, Castlegar.
25. Mr. Brigid Moran, Glenamaddy.
26. Mr. Pat O'Hora, Kilcreaventy, Tuam.
27. Ms. Treasa McMahon, Ballydoita, Moycullen.

*On the proposal of Deputy McCormack, seconded by Councillor Finnerty, the Members agreed that Ms. Nuala Silke of Maunsells Road, Galway be appointed to the National Monuments Advisory Committee.*

### **HIGHER EDUCATION GRANTS COMMITTEE**

1. Cllr. Matt Loughnane, Dunsandle Kiltulla.
2. Cllr. Kathleen Quimm, Ussey, Ballymoe.
3. Mairtin O Curraoin, B.A., Baile Eamonn, An Spideal.
4. Cllr. Michael Cunningham, Galway Road, Gort.
5. Cllr. Michael Fahy, c/o The Thatch, Ardrahan.
6. Mr. James Joyce, Laurencetown, Ballinasloe.
7. Cllr. Paddy McHugh, Beaghmore, Caherlistrane, Belclare P.O., Tuam.
8. Mr. Cathal O'Malley, Cleaghmore, Ballinasloe.
9. Mr. Seamus O Donoghue, Kilkerrin Road, Glenamaddy.
10. Mr. Patsy Clancy, Searfin, Furbo.
11. Mr. Michael Walsh, Ashford, Cong, Co. Mayo.
12. Mr. Joe Brennan, Sarsfield Road, Ballinasloe.
13. Mr. Eamon McLoughlin, Cleggan.
14. Mr. Gerard Kelly, 12 Kilgarve Gardens, Creagh, Ballinasloe.
15. Cllr. Jimmy McClearn, Killimor, Ballinasloe.
16. Mr. Brian Hynes, The Green, Dunmore.
17. Mr. Patrick J. Gilmore, Carrownagurraun, Tuam.
18. Mr. John C. Fahy, Rathanelon, Ardrahan.
19. Mr. Jim O'Malley, Clifden.
20. Mr. Máirtín Ó Conghaile, Principal, Comprehensive School, Carraroe.
21. Mr. Charlie Mullen, Bridge Road, Portumna.
22. Sr. Brid Brennan, Presentation Convent, Headford.
23. Mr. Seosamh de Burca, Ballygaddy Road, Tuam.
24. Mr. John Joe Conwell, Gortanumera, Portumna.
25. Mr. Patrick Burke, "Barken", Baunmore, Claregalway.
26. Cllr. Tiernan Walsh, Ardeevin, Williamstown.
27. Cllr. Michael Ryan, Moate, Moylough.
28. Mrs. Barbara Walsh, Kylebroughlawn, Moycullen.
29. Maire T. Uí Chuinneagain, Carna.
30. Ms. Ann Ruane, Divilly, Tiaquin, Colemanstown, Ballinasloe.

### **STRATEGIC POLICY COMMITTEES/ISLANDS COMMITTEE**

**4991**

*Councillor Fahy proposed that the Strategic Policy Committees hold their first Meetings before the end of August 1998.*

Mr. Kavanagh, Acting Assistant County Manager said that fifteen of the seventeen external representatives had been nominated. The remaining two nominations are to be finalised. He stated that the Members would be informed of the updated position at the next Council Meeting. The County Manager stated that industrial relations discussions are progressing between Union Representatives and the Local Government Management Services Board regarding the proposed staffing structures of "Better Local Government"..

Councillor Gavin stated that a motion passed at an Islands Committee Meeting of 13th July, 1998 requested that the Islands Committee be kept in place until next Local Elections. He said that the Strategic Policy Committees would not accommodate the range of issues, currently under the remit of the Islands Committee.

An Comhairleoir Ni Fhatharta stated that four of the most populated off-shore Islands are located in County Galway. She said that the Islands Committee hold approx. four meetings a year and deal with very practical and specific problems relating to the Islands, and the business of the Islands Committee is not appropriate for the Strategic Policy Committees. An Comhairleoir Ni Fhatharta requested that the Islands Committee remain in existence. Councillor O'Neill agreed with sentiments expressed by An Comhairleoir Ni Fhatharta.

Mr. Kavanagh, Acting Assistant County Manager replied that the Strategic Policy Committees will deal with policy issues. The Guidelines for their establishment state that existing committees should be abolished. However, various groups such as Islands Representatives could address the Strategic Policy Committees to make a case or to give advice in relation to certain issues.

An Comhairleoir O'Tuathail praised the work of the Islands Committee. He proposed that the Islands Committee be placed on similar standing as the Area Committees.

Mr. Kavanagh confirmed that there is an Island Representative nominated to the Planning & Economic Development Strategic Policy Committee. At next meeting of Strategic Policy Committee Sub-Committee, the Islands Committee and other Council Sub-Committees will be discussed.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved + Signed:

J. Brennan  
Chairman

24 August '98  
Date



**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF SPECIAL MEETING OF GALWAY  
COUNTY COUNCIL HELD AT COUNCIL OFFICES,  
TUAM ROAD, GALWAY ON FRIDAY, 10TH JULY, 1998**

**Cathaoirleach:-**

Councillor M. Finnerty

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne,  
J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely,  
M. Fahy, P. Finnegan, S. Gavin,  
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 Tuathail, K. Quinn, M.  
Regan, M. Ryan & T. Walsh.

**Oifigigh:-**

Messrs. J. Tierney, Deputy. Co. Manager, T. Kavanagh,  
A/Assistant Co. Manager, E. Power, A/Co. Secretary, J.  
Colleran, Co. Engineer, L. Kavanagh, S.E.E., M.  
Killoran-Coyne, S.O. & A. Whelan, C.O.

**Thosnaigh an crinniu leis an paidir.**

Councillor Gavin requested the Chairman's approval to address the Meeting. He said that he wanted to make clear to the other Members of the Council and the public generally that he did not propose to allow his name to go forward for election of Chairman of Galway County Council for the coming year. He acknowledged the support of his colleagues and thanked them.

**RESOLUTION OF SYMPATHY**

**4973**

A Resolution of Sympathy was passed with:-

Mrs. Josephine Cummins, Ballygaddy Road, Tuam, Co. Galway.

**TO NOTE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) (NO. 2) REGULATIONS 1998 AND  
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT)  
GENERAL POLICY DIRECTIVE (SHOPPING) 98**

**4974**

The Members of the Council had been circulated with a Report dated 3rd July 1998 concerning the general policy Directive (Shopping 98) and the Local Government (Planning & Development) (No. 2) Regulations 1998.

Mr. T. Kavanagh, A/Assistant County Manager outlined the contents of the policy Directive which states that planning permission should not be granted for a supermarket, the retail floor space of which exceeds 3,000 square metres whether such development involves an extension of the existing development or otherwise. He also advised the Members that the Minister considers the current trends in relation to the provision of large scale retail developments have serious implications for proper planning and development as follows:-

- Such development can lead to the closure of smaller local retailing outlets and town centre shops. This, in turn, could lead to urban blight as more and more areas become less attractive and less viable as more shops are forced to close. This would be unacceptable, particularly in the light of the successful urban renewal policies of the past decade and the very significant public investment which has been made.
- Closure of smaller retail outlets would disadvantage those who may be dependent on the availability of local shopping outlets within walking distance and would reduce shopping choice.
- As such developments are largely dependent on private car transport, they can lead to distortion of traffic patterns and congestion at the important road junctions where they tend to be located.
- Having a wide catchment area and being located at the fringe of major cities and towns, such developments could lead to rural hinterlands being stripped of their retail services.
- They are inconsistent with the principles of sustainable development as they affect town centre shops, give rise to more journeys and are generally inaccessible to those without private transport. They promote less use of sustainable travel modes such as walking and use of public transport.

The Members were also informed that the Local Government (Planning & Development) (No. 2) Regulations 1998 complement the Policy Directive and provide that a change of use of any premises (including space with an existing shopping use) to a supermarket, the retail floor space of which exceeds 3,000 square metres, shall not be exempted development.

The Policy Directive and new Regulations were noted by the Members. Following a discussion, it was agreed that the Council would write to the Minister for the Environment and Local Government requesting that the floor space threshold of 3,000m<sup>2</sup> be reduced having regard to the impact of large retail outlets on smaller shopping units.

**Draft Development Plan for Town of Athenry**

Councillor Loughnane referred to the above Draft Plan which is on public display until the 25th August, 1998. He proposed that the time limit for submissions on the Draft Plan be extended by three months. This proposal was seconded by Councillor Fahy. Mr. Kavanagh, A/Assistant County Manager indicated that the plan would be on display for the statutory period of three months and that the proposal before the Meeting would result in a period of six months being allowed for display and submissions to be made. It was considered that an extension to the 25th October, 1998 would be sufficient and this was agreed by the Members.

**TO CONSIDER MATERIAL CONTRAVENTION OF THE 4975  
DEVELOPMENT PLAN FOR THE SCHEDULED TOWN  
OF ATHENRY IN TOWNLAND OF BALLYGARRAUN  
SOUTH - APPLICANT - MR. B. SWEENEY  
PLANNING REF: 98/867**

A Report dated 6th July, 1998 was circulated to each Member. Mr. Liam Kavanagh, S.E.E., Planning outlined the nature of the development as follows:-

**“PROPOSED DEVELOPMENT:**

The application is for outline permission for five dwelling-houses, septic tanks and treatment systems.

**LOCATION:**

The site is located at Ballygarraun South, Athenry and it fronts a county road locally known as the Garraun road.

**PLANNING HISTORY:**

There are no previous planning applications which relate to this site.

**ASSESSMENT:**

The site is located within an agricultural zoning of the current Athenry Plan which does not normally permit housing estate development but the new draft Athenry Plan which is currently on display shows this site included for residential zoning which permits the type of development proposed.

**OBJECTIONS:**

There are a number of objections to the proposed development from people who reside in the adjacent houses. The main points of the objections are backlands

development, noise nuisance, traffic problems, proximity to the rail line, lack of privacy, lack of services and the danger of flooding.

The sites have passed the S.R. 6 1991 tests and have been certified by the agent. The total site has an area of 2.75 acres (1.11 hectares) and the grant of permission would result in a density of 1.45 houses to the acre which is quite a low density for sites within a town.

On foot of the above it is recommended to grant Outline Permission for a total of not more than four houses on the site.

The four permitted houses shall be conditioned to be erected on the south side of the access road, bearing in mind the points made by the objectors.

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

Public notice of the Council's intention to consider deciding to grant outline permission was given on June 4th 1998, and the notice invited members of the public to submit representations or objections if they so wished. No such submissions were received following publication of the newspaper notice.

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

The latest date for a decision on this application is 3rd August 1998."

It was proposed by Councillor Loughnane, seconded by Councillor Fahy that a decision to grant outline permission be made. A vote on the Resolution was taken which resulted as follows:-

**AR SON:**

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, J. Conneely, 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, S. O'Neachtain, P. O'Tuathail, K. Quinn, M. Ryan & T. Walsh.  
(22)

**IN AGHAIDH:** -----

The Chairman declared the Motion carried.

**TO CONSIDER MATERIAL CONTRAVENTION OF THE 4976  
DEVELOPMENT PLAN FOR THE SCHEDULED TOWN OF  
TUAM IN TOWNLAND OF KILLALOONTY PLANNING  
REF: 98/187 APPLICANT: TOM LAVELLE  
CONSTRUCTION LTD.**

Mr. Tierney, Deputy County Manager indicated that the applicant for planning permission in this case had submitted additional documentation on 10/7/1998 in relation to this application and this would have to be considered by the Council. It was proposed by Deputy McCormack, seconded by Councillor Walsh and agreed by the Council that this matter would be deferred.

**CONSIDERATION OF REPORT UNDER LOCAL 4977  
GOVERNMENT (PLANNING & DEVELOPMENT)  
REGULATIONS 1994 - DEVELOPMENT AT CARNA**

The Members were circulated with Report dated 6th July, 1998 regarding construction of 8 houses at Carna, Co. Galway, comprising 4 x 3 bedroomed houses and 4 x 2 bedroomed houses. Mr. Tierney, Deputy County Manager outlined the contents of this Report for the Meeting.

Councillor Brennan referred to submission made by Eamonn Mylotte and queried the amount of site area with each house. In response the Deputy County Manager stated that each house had a front and back garden and that the proposed development would be of a high standard and he was satisfied that there was a reasonable housing density proposed.

In response to queries the Deputy County Manager indicated that there was no other land available to the Council in Carna at present and that there was a significant waiting list for housing in this area. Concern was also expressed by Members regarding the provision of green areas and play areas and queries were also raised in relation to the possibility of further houses being built at this location. The Deputy County Manager indicated that the Council did not propose to build any further houses at this location. He again stated that the site for each house was generous and the development of fourteen houses on site circa three acres would be considered relatively low density.

Having considered the Report and discussed the matter the Council agreed that the development would proceed.

**CONSIDERATION OF REPORT UNDER LOCAL 4978  
GOVERNMENT (PLANNING & DEVELOPMENT)  
REGULATIONS 1994 - DEVELOPMENT AT  
CLOONLYON, BALLYGAR**

The Members were circulated with Report dated 6th July, 1998 regarding relocation of entrance road, alterations to existing dwelling houses and construction of two new dwelling houses at revised locations within the site of the Galway County Council Group Housing Scheme at Cloonlyon, Ballygar, Co. Galway. The Deputy County Manager outlined the contents of the Report on this development and referred in particular to correspondence between the Ballygar District Community Council and Galway County Council. He indicated that the Council is attempting to address the general need of the travelling community and also address the concerns of the local residents.

Councillor Quinn referred to the proposed development and requested that the Council give a commitment that the halting site would in time be developed as a Group Housing Scheme.

Deputy Connaughton emphasised the very extensive consultation that had taken place between the Council and the local residents and noted that this had been very worthwhile. He noted that a number of concerns remained outstanding including the local community did not want any further houses on the site other than the two dwelling-houses now proposed. Furthermore the local residents were anxious to see that the traveller accommodation strategy to be prepared by the Council did not provide for any further houses at this location. He also noted that the local residents were concerned that the sewerage scheme did not have the capacity for additional houses. Deputy Connaughton also referred to the question of houses being built on the halting site and he requested that funds be provided for this purpose. He proposed that the funding of 2/3 houses on the halting site be given priority by the Council. He stated that work could be carried out on a phased basis. This proposal was seconded by Councillor Quinn.

In the discussion which followed, the Members acknowledged the positive role played by the Council in relation to this matter and noted that the Council's Housing Staff had extensive consultation with the local residents.

It was also stated that the proposals to provide houses on the hard-stand would be welcomed by the local residents.

The Deputy County Manager said that the Council's objective was to strike a balance between the housing needs of the travelling community and the concerns of the local residents. He also acknowledged the positive role played by the Councillors and residents during discussions on this issue. With regard to the halting site, he referred the Members to the letter of the 10th July to the Ballygar District Council which had circulated to the Members with the Report on this item. He informed Members that the proposal to convert the existing halting site into a scheme had been discussed with the travelling families on the site. He then confirmed that:-

- (a) The Council will design and plan for the phased conversion of the existing halting site scheme into an eight house group housing scheme with a target commencement date of no later than end 1999.

- (b) The Council will not be including any proposals other than (a) above in the Five Year Traveller Accommodation Programme to be adopted in accordance with the Housing (Traveller Accommodation) Act 1998.
- (c) That no further proposals will be brought forward in relation to the development of additional housing units at the Cloonlyon development.

He indicated that consultation would continue with residents and Travellers. In the discussion which followed, it was again stated that that the building of houses on the halting site was a critical aspect of the housing of travellers in Ballygar.

It was also noted by Councillor Walsh that the question of an increase in the number of travelling families in Ballygar needed to be addressed.

The Deputy County Manager in response said that the preparation of a Five Year Travellers Accommodation Programme by the Council on traveller accommodation would give an opportunity to deal with this issue.

Having considered the Report and discussed the matter, the Council agreed that the proposed development as outlined would proceed.

**CONSIDERATION OF REPORT UNDER LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1994** 4979

The Members were circulated with Report dated 30th June, 1998 regarding:-

1. Construction of 10 houses at Cullairbaun, Athenry - comprising 8 x 3 bedroomed houses and 2 x 2 bedroomed houses.
2. Construction of 10 houses at Gort, Co. Galway - comprising 4 x 3 bedroomed houses and 6 x 2 bedroomed houses.
3. Construction of 5 houses at Kinvara, Co. Galway - comprising 2 x 3 bedroomed houses and 3 x 2 bedroomed houses.
4. Construction of 10 houses at Carrowmanagh, Oughterard - comprising 8 x 3 bedroomed houses and 2 x 2 bedroomed houses.
5. Construction of extension to existing house at Waterdale, Claregalway.

The Deputy County Manager referred to the Report of the 30th June, 1998. It was noted that the proposed developments are in accordance with the proper planning and development of the areas and in accordance with the County Development Plan.

Councillor Byrne referred to the proposed construction of five houses in Kinvara and stated that when these houses are built it will result in the estate having twenty nine

houses. In response the Deputy County Manager referred to the 1998 Housing Construction Programme and stated that four houses were originally proposed but following a site survey it was found that the provision of five houses would complete the scheme. Accordingly it was decided to proceed on this basis.

Having considered the Report and discussed the matter, the Council agreed that the proposed development as outlined would proceed.

## **TO CONSIDER REPORT ON LOCAL IMPROVEMENT 4980 SCHEMES**

The Council had been circulated with a Report dated 2nd July 1998 and the Department of the Environment's Circular RW 6/98 of the 14th May, 1998. The Circular set out the Council's allocation of £319,000 for Local Improvement Schemes in 1998 and set out the following conditions:-

1. Projects must be selected on the basis of greatest need on a County wide basis.
2. Applications which are on hand for more than 3 years will not be valid after 31/12/99 and will have to be re-submitted.

Councillor Loughnane expressed concern at the implications of the revised arrangements in relation to the validity of applications which are more than three years old. While he welcomed the 1998 allocation, he was concerned at the requirement to prioritise applications. He proposed that the Council would continue with its existing policy in relation to the processing of Local Improvement Scheme applications. He also stated that additional funding should be provided by the Department to deal with the backlog of applications and to ensure that Local Improvement Scheme applications would not have to wait beyond three years.

This proposal was seconded by Councillor McHugh who also asked for details for the present assessment method. The County Engineer in response informed the Meeting that Local Improvement Scheme applications were processed in the order by which they were received by the Council.

Councillor Gavin raised the question of Local Improvement Scheme roads being taken in charge and also he queried if the local contributions could be increased

Deputy McCormack queried if the allocation provided for 1998 would facilitate the reduction in the waiting lists and if the Council could continue to process the applications by "date received" order.

In the discussion which followed, the Members were anxious to see the backlog of applications dealt with and it was considered that once-off funding to clear the backlog of applications should be provided by the Department of the Environment. In response to queries, the County Engineer stated that it was agreed that certain Local Improvement Scheme Roads would be taken in charge by the Council and he advised Members that a survey of Local Improvement Scheme Roads was under way at



present. He noted, however, that in some cases local residents may not wish to have the roads taken in charge by the Council.

Councillor Hussey noted that Local Improvement Schemes was popular with the rural community and proposed that the Council seek an additional allocation of funding to clear the backlog. This proposal was seconded by Councillor Quinn.

In response to queries regarding certain schemes that are not being proceeded with, the County Engineer said that in some cases difficulties arise locally and that this contributes to delays in start-up. He also noted that in some cases, applications are not eligible under the scheme. A further evaluation of all schemes would be available by the end of 1998. He stated that contact would be made with the Islands Community and schemes would be prioritised following local consultation. He advised the Meeting that he would favour the present method of processing applications i.e. applications being dealt with in "date received" order.

The Deputy County Manager reminded Members that the Department Circular stated that the selection of schemes would be based on the greatest need in the county and the Council's Programme of Local Improvement Scheme works would have regard to such need.

The County Engineer reminded the Members that the effective date for the validity of applications over three years old was 31/12/1999 and he considered it unnecessary to make any changes in the Council's present processing arrangements at this stage.

## **TO APPROVE ARTS GRANTS FOR 1998**

**4981**

The Report of the Arts Committee Meeting of the 22nd June 1998 had been circulated to the Members and the Assistant County Manager referred to the recommendations for Arts Grants 1998 which the Committee had recommended to the Council which were as follows:-

### **ARTS RECOMMENDATIONS 1998**

	£
<b>ARTFORM: DANCE</b>	
Gort Festival of Dancing	250.00
<b>ARTFORM: DRAMA / THEATRE</b>	
Druid Theatre Company	3,000.00
Glenamaddy Theatre Festival	1,000.00
Glenamaddy Town Hall Theatre	850.00
Tuam Mall Theatre	2,000.00
<b>ARTFORM: LITERATURE</b>	
Baffle Festival (Loughrea)	200.00
Clifden Writers Group	300.00
An Autumn Gathering at Coole	500.00

**ARTFORM: MUSIC / CONCERTS**

Cois Cladaigh	300.00
Clifden Arts Society	600.00
Cooley Collins Festival (Gort)	500.00
Galway County Fleadh @ Oranmore	600.00
Glinsk Community Council	600.00
Inishbofin Music Group	400.00
Kinvara Community Council / An tAmhran Beo	300.00
Pat Keane Commemoration Committee (Kinvara)	300.00

**ARTFORM: FILM**

Letterfrack Film Society	400.00
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**ARTFORM: COMMUNITY ARTS / EDUCATION / VISUAL ARTS**

Aisteoir Mhic Easmuinn (Carraroe)	200.00
Anord Community Arts (Clonbur)	600.00
Baboro	500.00
Ballygar Carnival (Arts Programme)	300.00
Cashel Community Council	350.00
Conamara Environmental Education Centre (Sea Week & Bog Week, Letterfrack)	1,000.00
Galway Youth Theatre	1,000.00
Gateside (Tuam)	750.00
Gort Arts Group	500.00
Loughrea Travellers Community Development Group	350.00
Maam Valley Craft Group	100.00
Macnas	1,200.00
Moylough Cats Pyjamas Youth Theatre	400.00
Plearaca Teo (Rosmuc)	1,000.00
Roundstone Youth Theatre	500.00
St. Brigid's School Arts Festival (Tuam)	300.00

**ARTFORM: FESTIVALS**

Athenry Medieval Festival	2,000.00
Caltra Festival	600.00
Castleblakeney Festival	200.00
Clifden Community Arts Festival	7,000.00
Galway Arts Festival	3,000.00
Feile na nOileain (Leitir Moir)	250.00
Fleadh na gCuach, Kinvara	1,000.00
Inishbofin Arts Festival	1,000.00
Plearaca Chonamara	2,000.00
Roundstone Arts Festival	300.00
Skehana Festival	600.00
Tuam Festival	2,000.00

**ARTFORM: ARTS CENTRES**

Kiltartan Gregory Cultural Society	500.00
Lackagh Folk Museum	600.00

<b>ARTS PROGRAMME</b>	<u>5,800.00</u>
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<b>TOTAL</b>	<b>48,000.00</b>
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On the proposal of An Comhairleoir O'Neachtain, seconded by Councillor Mullins the Arts Grants for 1998 were approved by the Council.

**PLANNING APPLICATION NO. 98/1839 - CLLR. FAHY 4982**

Councillor Fahy referred to Planning Application No. 98/1839. He referred to objections of local residents to the granting of planning permission having regard to local concern about the erection of antennae, emissions from antennae, the visual impact and the health implications. He called on the Council to refuse the application.

A general discussion took place in relation to this issue and Members expressed the public health concerns in relation to antennae.

**PLANNING APPLICATION NO. 98/178 - CLLR. FAHY 4983**

Councillor Fahy referred to Planning Application No. 98/178 and he requested that this application be placed on the Council Agenda of 20th July 1998. The Deputy County Manager indicated the procedure for processing planning applications did not involve the listing of applications on Council Meeting Agendas. In response to queries from Members, Mr. L. Kavanagh, S.E.E. Planning outlined the relevant extract from the County Development Plan regarding telecommunications infrastructure as follows:

**"7.2.12 Objective No. 12 - Telecommunications Infrastructure**

The Planning Authority recognise the importance of telecommunications in the economic development of the country and the county. A necessary infrastructural requirement for mobile communications sector is the erection of strategically located antennae and support structures on elevated locations throughout the county. These specific locational requirements create visual amenity, road access, health and safety problems. The Department of the Environment has prepared draft planning guidelines (December 1995) to deal with this development and its associated planning considerations.

**Objective**

It is the objective of the Planning Authority to facilitate the development of telecommunications antennae, while having regard to high planning standards for Design and Siting of structures, visual impact on the environment, access road requirements as well as health and safety requirements. In this regard, the Planning Authority will follow the "Guidelines for Planning Authorities" prepared by the Department of the Environment."

**MANAGER'S BUSINESS**

**4984**

**Local Authority Members (Gratuity) Scheme 1998**

The Acting Assistant County Manager referred to the recent Department Circular regarding Local Authority Members (Gratuity) Scheme 1998 which had been circulated to the Members for consideration. He said that the scheme provides for payment of a once off gratuity to Members of Local Authorities who are or were serving at any time following the last Local Elections and who do not go forward for election at the next Local Elections and provided they have the required minimum service. He stated that the applications for payment of the gratuity must be lodged with the County Secretary on or before 15th September, 1998.

**Minister's Visit**

The Acting Assistant County Manager advised the Members that the Minister for the Environment and Local Government, Mr. Noel Dempsey, T.D. would officially open the Tuam Regional Water Supply Scheme Stage 1 and the Williamstown Sewerage Scheme on the 14th July, 1998.

**South Galway Flood Study**

The Acting Assistant County Manager referred to correspondence received from the OPW dated 3rd July regarding the South Galway Flood Study. He advised the Members that the OPW had arranged a Public Meeting at which the final Report of the South Galway Flood Study would be outlined and discussed. He said that the Meeting would be held on Thursday, 16th July, 1997 in Glynn's Hotel, Gort at 8.00 p.m.

**Annual Meeting**

It was again noted that the Annual Meeting of the Council would be held at 2.30 p.m. on 20th July, 1998 at Merlin Park, Galway.

**Planning Application No. 97/1364**

An Comhairleoir O'Neachtain referred to Planning Application No. 97/1364 regarding Media Park and site development works at Spiddal. He was concerned at the

proposed manner of effluent disposal. He requested that the Council should meet with Udaras to discuss this matter.

The Deputy County Manager undertook to have the matter investigated.

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted, Approved + Signed:

Michael Finerty  
Chairman

24 August 1998  
Date

RESOLUTION OF SYMPATHY 4929  
The Members expressed their deepest sympathy to the family, relatives and friends of Joe Linn, former Councillor. All the Members paid tribute to the late Councillor Linn, as a colleague and for his work as a Councillor. The County Secretary acted in the expression of sympathy on behalf of the Staff. On the proposition of Councillor Ryan, the Meeting adjourned for 15 minutes as a mark of respect.

MINUTES 4930  
The Minutes of the Special Meeting held on 8th May, 1998 were approved by the Council and signed by the Chairman on the proposal of Councillor Brennan, seconded by Councillor Ryan.