COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY HALL, PROSPECT HILL, GALWAY ON MONDAY, 12TH APRIL, 1999

Cathaoirleach:-

Councillor J. Brennan

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

Oifigigh:-

Messrs. D. Nelson, Deputy Co. Manager, T. Kavanagh, A/Asst. Co. Manager, J. Colleran, Co. Engineer, L. Kavanagh, S.E.E., G. McCarthy, S.E(Forward Planning) M. Burke, Draughtsman, B. McDermott & P. Carroll, S.S.O.s & A. Whelan, C.O.

Thosnaigh an crinniu leis an paidir.

The Chairman welcomed Marian Ní Shuilleabháin, News Reporter for Radio na Gaeltachta to her first Council Meeting.

VOTE OF SYMPATHY

5449

A Resolution of Sympathy was extended to Councillor M. Cunningham on the death of his Brother John Cunningham.

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

Mr. & Mrs. Liam Smyth, Bolag, Woodford, Co. Galway. Mrs. Ann Cunningham, Ballylaha, Peterswell, Co. Galway Mrs. Geraldine Joyce, Park View Drive, Tuam, Co Galway Mr. & Mrs. Al Hayes, Oldthort, Portumna, Co. Galway Mrs. Seamus Keaveney, Ballincurry, Glinsk, via Castlerea, Co. Galway Mrs. & Mrs. Liam Walsh, Oldthort, Portumna, Co. Galway

CONGRATULTIONS

5450

The Members congratulated the Burke Family of Mountbellew on the success of Bobby Joe in winning the Aintree Grand National

TO APPROVE EXTENSION OF TIME FOR REVIEW 5451 OF THE DEVELOPMENT PLAN FOR TOWN OF TUAM AND ENVIRONS

Mr. T. Kavanagh, County Secretary, informed the meeting that the current application for an extension of the review of the Tuam Town Plan expires on 30th April 1999. It was proposed by Councillor J. Burke, seconded by Councillor T. Hussey and agreed by the Council that a further extension of the review period should be sought from the Minister for the Environment to 31st December 1999.

TO CONSIDER THE DRAFT DEVELOPMENT PLAN 5452 FOR THE SCHEDULED TOWN OF TUAM AND ENVIRONS

Deputy P. McCormack expressed dissatisfaction with the continuing extensions of time of review of town plans as this leads to an increase in material contraventions coming before the Council. Councillor J. Burke said that it was important to take time to ensure that the Plan was correct rather than rushing it through. Councillor P. McHugh said he agreed that an extension of time for review be sought, however, he said that all the Development Plans are late in being published which was not satisfactory. The County Secretary said that the Tuam Area Committee had agreed that the Draft Plan for Tuam and Environs be recommended to the Council for publication. Councillor P. McHugh said he was disappointed with the Draft Plan put before the Council and that he was not in agreement with the Plan. Councillor J. Burke said that the Draft is put on public display inviting observations in order that an acceptable plan is adopted.

It was proposed by Councillor J. Burke, seconded by Councillor T. Hussey and agreed by the Members that the Draft Development Plan for Tuam Town and Environs be put on public display.

MATERIAL CONTRAVENTION OF DEVELOPMENT 5453
PLAN FOR THE SCHEDULED TOWN OF LOUGHREA
& ENVIRONS FOR THE CONSTRUCTION OF 16 NO.
HOUSES IN THE TOWNLAND OF GORTEENAPHEEBERA,
LOUGHREA. APPLICANT: STEPHEN O'ROURKE.
PLANNING REF. 99/185

Mr. T. Kavanagh outlined the details of the application. Mr. L. Kavanagh, S.E.E. Planning, then gave his report to the meeting.

"APPLICANT: Stephen O Rourke

PROPOSED DEVELOPMENT: The proposal relates to permission for a mixture

of 10 no. semi detached houses and 6 no. detached houses on this site of 1.015 hectares.

LOCATION: The site is located in the townland of

Gorteenapheebera, at the Eastern outskirts of Loughrea town fronting the N6. and opposite

the G.A.A. grounds.

PREVIOUS HISTORY Planning ref. no. 97/2225. This was an

application for 24 no. houses on this site. It was subsequently modified to 18 no. houses and was

withdrawn on 14th January 1999.

ASSESSMENT: The site is within the 40 m.p.h. speed limit zone of Loughrea town on lands which are currently in agricultural use. The Draft Development Plan for Loughrea which is presently on public display shows a residential zoning on the lands.

The proposed housing density is approximately 7 houses per acre which is well within the limits specified in the Town Development Plan. A revision of the layout which was submitted with the previous application now shows an area of open space and a large landscaped garden adjoining the property of a neighbouring objector.

The neighbouring property is listed as a "school" in item no. 102 of the sites and monuments register of the O.P.W. but there will be no encroachment on that property. The County Council has recently carried out improvements to the surface water drainage which will have the capacity to accept the drainage from the site. This proposal will involve a further extension to the surface water pipeline of approximately 400 metres along the N6. The cost of this will be a charge on the development. It is also likely that water pressure will need to be boosted to serve the development.

RECOMMENDATION

Taking into account the demand for housing in the area, the suitability of the site for residential development and the proposed residential zoning on the land in the current Draft Development Plan for Loughrea town and Environs, a grant of permission is recommended.

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 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 permission was given on 27th February, 1999 and the notice invited members of the public to submit representations or objections. None was received.

If a resolution is passed requiring that a decision to grant 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 26th April, 1999."

Councillor J. Callanan proposed that a condition be inserted in the planning permission that the site of landscaped garden at no. 8 be frozen and that no other development be allowed on it. Councillor M. Loughnane asked if the statutory bodies were notified of this planning application and said that there was no indication that the National Monuments Council or the Heritage Council were notified of this development. He said that there was a house adjacent to the site proposed for development which was listed in the Architectural Survey of Buildings and Structures in the Loughrea Draft Plan. Councillor M. Loughnane said that this building would be blocked off by the proposed development. This building is the oldest residential building in Loughrea and is currently being lived in. He said that representations were made regarding the application which were not mentioned in the report to the council. The County Secretary said that the site of the application is not on the site mentioned by Councillor M. Loughnane and that he was satisfied that the documents were in order.

Mr. L. Kavanagh, S.E.E. Planning, said that the objector's site is 80 feet from the western boundary of the proposed development and that the nearest house is 75 feet from the boundary. Councillor J. Burke asked if an interest in this development had been declared. Mr Nelson, said that the legal position is that the onus lies with the person to declare an interest. Councillor J. Burke said it had been suggested that somebody's family is living in the house. Councillor M. Loughnane said that his sister and brother were living in the house.

Councillor J. Callanan proposed that having considered the Planning Application made by Stephen O'Rourke for planning permission for the construction of 16 no. houses, planning reference no. 99/185, and having considered the Report dated 7th

April, 1999 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. Councillor J. Conneely seconded this proposal. A vote was then taken which resulted as follows:

AR SON:

Cllrs. J. Brennan, J. Burke, W. Burke, T. Byrne, J. Callanan, J. Conneely, M. Cunningham, M. Fahy, M. Finnerty, S. Gavin, T. Hussey, J. Mannion, J. McClearn, Deputy P. McCormack, Sen. J. McDonagh, Cllrs. P. McHugh, M. Mullins, S. O' Neachtain, M. O'Neill, P. O'Tuathail, K. Quinn, M. Regan, E. Varley & T. Walsh (24)

IN AGHAIDH:

GAN VOTAIL:

Cllr. M. Loughnane

The Chairman declared the resolution carried.

COUNTY DEVELOPMENT PLAN - REVIEW OF PLANNING CONTROL POLICY

The County Secretary outlined 4 items for discussion from the last meeting:-

- 1. Ribbon Development
- Restrictions on R347, R348 and R355
- 3. Allowable development for Gaeltacht Areas
- 4. Definition of landholder/farmholder

Deputy P. McCormack suggested that a Committee meeting between Councillors and Planners should be held to discuss the interpretation of ribbon development. The County Secretary said that it would be a good way of dealing with the matters raised but this had not been agreed at the last meeting. Councillor McClearn said that there were more than 4 items raised at the last meeting and that the problems were not being addressed. Deputy McCormack said that a Committee meeting was urgently required or he will go public on a number of issues as he was fed up with the treatment he was receiving from the planning office. The Deputy County Manager said that he had proposed a workshop at the last meeting but this was not agreed to. The Chairman said that only 4 items were identified at the last meeting to be dealt with today. Councillor Gavin asked what it was hoped to achieve by discussing these 4 items. Councillor Loughnane said that applications for more than one house in rural areas were not being dealt with satisfactorily. The Chairman said that this matter will be dealt with according to the items listed as this had been agreed at the last meeting. Councillor Walsh said there were numerous planning applications for rural areas being lodged and that quite a number were running into difficulties because of ribbon development. He said that the Council did not intend the interpretation of ribbon development to hinder development in rural areas. Councillor Walsh said that the Councillors were finding it difficult to explain to applicants the reason for refusal as there is a different view taken by officials. He said that when drawing up the Development Plan it had not been the intention of the Councillors to curtail development in rural areas. Councillor Walsh said that the prior notice situation was not satisfactory. Councillors were not given sufficient notice if there was a difficulty so that the applicant could be notified of same and an extension of time sought.

Councillor T. Byrne said that the Development Plan is the Councillors' Plan and they had spent a long time putting it together but maybe certain parts of the Plan need redefining or altering. He said that there were a number of issues causing concern to the Councillors as follows: (1) Chapter 7.2.1 (ii) outlines Development Control Policy where restrictions apply to (a) the area of Special Development Control around Galway City as defined on the relevant map and (b) to areas within one and a half miles of Ballinasloe, Tuam, Loughrea, Athenry, Gort, Clifden, Portumna, Headford, Oughterard, Mountbellew/Moylough. Councillor Byrne said that it seemed that other areas are also being considered which are not included at (a) or (b).

(2) He said it was now necessary when applying for outline planning permission to carry out a borehole test and show evidence of a potable water supply. He felt that it should be sufficient for applicant to state the source of water supply and that a condition relating to the water supply could be inserted when the full planning permission was being granted.

(3) He also referred to High Scenic Amenity Areas in South Galway where some development should be allowed that would not affect the area and where there is a need for housing. He said it was important that amenities be preserved but that there appeared to be a blanket refusal from Maree along the coastline where provision should be made for some development. Councillor M. Fahy said that he agreed with Councillor Byrne and that there was a total blanket of area where planning permission is not allowed. He said that people were entitled to live in the country and enjoy a country environment. He requested that a report be submitted by the Planning Section setting out ribbon development strategy. Councillor O'Neachtain said that the anxiety shown by the Councillors reflected the mood of the public on planning issues.

He wished to speak specifically regarding Connemara. He said that people have been refused permission in areas where it was thought they would be able to build on their own land. It was intended that applications from people returning from abroad and from people working in the area would be favourably considered. This was not happening. People from the Gaeltacht should be given priority to live in the area. Councillor O'Neachtain said that local Connemara people living in areas of High and Special Scenic Amenity should not be restricted when they wish to build on their own land. Young couples were moving from Gaeltacht areas and moving into Galway because of planning restrictions which was against the national policy of trying to keep people in the Gaeltacht. He asked that the enurement condition be specifically explained. He proposed that specific areas should be looked at again e.g. Connemara and that it should be discussed at the Area Committee Meeting. This was seconded by Councillor M. Cunningham.

Councillor J. Burke said that he felt it was wrong the way ribbon development was being interpreted by some developers. He said that people who have a legitimate right to dispose of land to educate their children cannot do so. Councillor Burke said that

he was aware of a planning application that went in twice in the last six months and was refused on both occasions, once on High Scenic Amenity grounds and the second time on Ribbon Development. He said that two different reasons for refusal for the same application was not acceptable. Staffing problems should not be an issue in such instances. Councillor Burke said that the Council was obliged to honour the County Development Plan and to promote development in rural Ireland. He requested statistics on refusals to include a colour coded map showing refusals. He suggested that a survey should be carried out on how ribbon development is handled in other counties. Councillor P. McHugh said that the problem with ribbon development is in the interpretation. He said that there was no room for misinterpretation and that the Development Plan states clearly that ribbon development applies within one and half miles of towns listed. Councillor McHugh said that the other problem is that of essential housing need category. There were two definitions, one in relation to rural areas and the other in relation to traffic routes. Councillor McHugh said that the Council should adopt one definition i.e. Table 7.B of County Development Plan. He also requested clarification on "bona fide employment" in the area. Deputy McCormack said that the debate was unsatisfactory and that the Councillors needed to hear from the Planners. He said that numerous other items needed to be discussed and that a review of the Development Plan was not a solution. The solution is the correct interpretation of the Development Plan. He said that the Planners decided on their own interpretation without the consent of the Councillors and he has got various interpretations from them. Deputy McCormack said that reference no. 98/3151 was refused recently and that he had sent in a letter to the Planning Department regarding same but had not yet received an acknowledgement. He said that the application was refused on grounds of ribbon development but that there was no house on either side of the proposed development. Deputy McCormack said that he cannot get straight answers to straight questions and that he has put up with a lot from the planning office. He also said that he had been abused by the Planning Office.

He said he was not afraid to say this in public like some of the Councillors and he was not afraid of reprisals from the Planning Office. He said there was inconsistency of information being given by the staff and planners and he was not going to take it any longer. Public representatives are not being treated fairly by the planning office he said. Deputy McCormack said that last week he checked if his prior notice was on a file and was told it was. Subsequently the planning application was refused and he was told when he checked again that there was no prior notice on the file. He said that planners will tell one thing and do another afterwards and that he had the facts to prove this. He said that he was aware that the planning office was working under extreme pressure but that something must be done. Applications should not be accepted unless documents were in order. Deputy McCormack said that he had much more to say in private regarding the way the planning department was treating him and asked that the planning office be closed down for a month to deal with the back log of applications.

Mr. L. Kavanagh, S.E.E. Planning, outlined the definition of ribbon development contained in Chapter 7.1. (ii) of County Development Plan. He said that the objective of the Development Plan was to control ribbon development in rural areas and if this was applied to one and half miles of towns listed this would only cover 25% of the

whole county. He said that he has brought the views of the Councillors back to the Planners and that he continues to have meetings with them in order to have consistent interpretation of the Development Plan. Mr. L. Kavanagh said that two years ago the grant rate was 90% and last year it was 88%. He said that the Planning Authority had granted planning permission for a single house in Creganna, Oranmore where there is intense ribbon development. This application was appealed and was refused by An Bord Pleanala who quoted the objective outlined in the County Development Plan in relation to ribbon development. He said that in another instance the Planning Authority granted planning permission for an application on the road to Coole Park with enurement condition attached. This application was appealed and an Bord Pleanala refused same. He said that restrictions on ribbon development had eased considerably in the current Development Plan compared to the previous one and that the Planning Authority was not anti rural development. The amount of planning applications has increased with applications being received for 4 or 5 sites at a time. Mr. L. Kavanagh said that the planners have meetings every day with members of the public and are trying to cut back on waiting times for appointments. The planners are not trying to pursue a Plan of their or short change the public and he did not want inconsistency in decisions. He said that Galway County Council was not high on the national average for refusals. Councillor M. Loughnane wished to know the position in relation to a person working in the area - "what about the local garda who needs a house" he said. Councillor S. Gavin said that in relation to the application at Creganna, Oranmore the applicant had re-applied when refused by An Bord Pleanana but was refused by the Council which went against their first decision to grant. Mr. L. Kavanagh said that An Bord Pleanala was regarded as a higher Authority and the Council was generally bound by their decision. The Deputy County Manager said that statistics are available nationally and cannot be broken down further but that Galway County Council were well below national average on refusal rate. He said that there has been an increase in the number of planning applications again this year but that staff numbers had not increased sufficiently. He said that the office could not be closed for a month, however, he would look at the possibility of closing the office to the public at 4.00 p.m. to enable staff deal with the heavy workload in order to provide a better service.

It was agreed that a meeting in-committee would be held on 26th April 1999 to discuss the following matters further:- Restrictions on R347 and R348, definition of landowner/farmholder, family housing need categories, Amenity Areas in the Gaeltacht.

COASTAL PROTECTION WORKS

5455

The Members noted letter dated 3rd March, 1999 from the Department of the Marine and Natural Resources offering the Council grant aid in respect of coast protection works in County Galway, a copy of which has been circulated to Members.

On the proposal of Councillor Mannion, seconded by Councillor Conneely the Members approved coastal protection works at the following locations:

Inishboffin Island; Gorteen/Dogs Bay, Roundstone Aughinish Island Tawin Island

REVISION OF REMUNERATION OF ROAD OVERSEERS

5456

On the proposal of Councillor Mannion, seconded by Councillor McHugh, the Members approved revision of remuneration for Road Overseers as detailed hereunder:-

1/7/1997	1/4/1998	1/7/1998	0
£288.42 - £348.77	£290.51 - £352.36	£297.05 - £360.29	

UPDATE ON GROUP WATER SUPPLY SCHEMES

5457

The Members noted Report dated 8th April 1999 on Group Water Supply Schemes - Rural Water Programme, a copy of which had been circulated to each Member.

CHAIRMAN'S BUSINESS

5458

Bille um Chearta don Ghaeilge

Councillor Gavin proposed the following:-

"That Galway County Council propose that it lend its support to the Bill of Rights for the Irish language."

The proposal was seconded by Councillor Byrne, and agreed by the Members.

Castleblakeney Development Association

Councillor Mullins stated that planning permission had been granted to Castleblakeney Development Association to refurbish the Church of Ireland building in Castleblakeney but that there was a problem on carrying out the works as a private individual had blocked a right-of-way and prohibited access to the building and cemetery.

He requested that discussion take place with the Council's Law Agent in efforts to obtain the required access.

The County Secretary stated that the Council has a right-of-way for the purposes of the burial ground only and not for the building.

He had sought the advice of the Council's Engineering Section on the possibility of an alternative right-of-way that may lead to the building and had requested the Law Agent to serve a notice on the landowner in relation to the right-of-way.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted Approved + Signed:

Chairman

24th May 1999 Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY HALL, PROSPECT HILL, GALWAY ON MONDAY, 22nd MARCH, 1999

CATHAOIRLEACH:

An Comhairleoir J. Brennan

ILATHAIR FREISIN:

Baill:

Cllrs. J. Burke, W. Burke, T. Byrne, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, 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. 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 & T. Walsh.

Oifigigh:

Messrs. D. Nelson, Deputy Co. Manager, J. Tierney, Asst. Co. Manager, T. Kavanagh, A/Asst. Co. Manager, E. Power, A/Co. Secretary, J. Colleran, Co. Engineer, R.C. Killeen, A/Deputy Co. Engineer, E. Lusby, Finance Officer, D. Barrett, A.O., T. Murphy, A/A.O., & E. Hourigan, A.S.O.

Thosnaigh an crinniu leis an paidir.

NEW COUNCIL OFFICES

5409

Mr. Michael Tierney, of PLV Ltd, displayed for the Members the features of the audio visual equipment installed in the Council Chamber.

The Members congratulated the Management and Staff involved in the development of the new Council offices, with a special tribute to Mr. D. O'Donoghue, County Manager and Mr. J. Eising, Project Engineer. In regard to sculpture in front of the building, Councillor McHugh stated that the sculpture was disappointing. Councillor Walsh agreed with sentiments expressed by Councillor McHugh, but noted that the

sculpture was recommended by the Accommodation Committee and agreed by the Members.

Mr. D. Nelson, Deputy County Manager thanked the Members for their generous comments.

Mr. Kavanagh, A/Assistant County Manager stated that a descriptive plaque will be placed adjacent to the sculpture "Atlanticus". He also said that signage within the building will be put in place shortly.

RESIDENTS OF GARVAHY ROAD, PORTADOWN

5410

The Chairman read a fax received from the residents of the Garvahy Road referring to the tragic death of their friend and Legal Advisor, Ms. Rosemary Nelson. A copy of video outlining the situation on the Garvahy Road was available to the Members.

The Members passed a Resolution of Sympathy with the Family of Rosemary Nelson and residents of the Garvahy Road. A minutes silence was observed as a mark of respect to Ms. Nelson.

COUNCILLOR VARLEY'S RETIREMENT

5411

Councillor Varley announced that she would not be contesting the Local Elections to be held on 11th June 1999. Councillor Varley was first elected to Galway County Council in 1991. She thanked the Electorate, the Members, Management and Staff for the kindness and courtesy extended to her during her term as Councillor.

The Members paid tribute to Councillor Varley stating that she is an honest, sincere and hard working Councillor having loyally served the people of Headford and Galway. Deputy McCormack extended good wishes to Councillor Varley. He confirmed that after 25 years as a Member of Galway County Council, he likewise will not be standing for re-election to the Council, instead concentrating on the County Borough Area.

The Chairman paid tribute to both members and wished them well in their future endeavours.

MINUTES

5412

The Minutes of the Special Meeting held on 12th February 1999 were approved by the Council and signed by the Chairman, on the proposal of Councillor Gavin, seconded by An Comhairleoir Ni Fhatharta.

Minute No. 5360 - Meeting of 1/3/1999

The Acting Assistant County Manager referred to Minute No. 5360 - Market Hill, Clifden Rejuvenation Plan and indicated that the following sentence should be added "It was agreed by the Council that Smugglers Lodge and a terraced area fronting Bridge Street be included in the Plan." This was noted and agreed by the Council. The Minutes of the Monthly Meeting held on 1st March, 1999 were approved by the Council and signed by the Chairman, on the proposal of Councillor Mannion, seconded by Councillor Cunningham.

The Report of the Connemara Area Committee Meeting held on 2nd February, 1999, was considered. It was adopted by the Council on the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor Conneely.

The Report of the Protocol Meeting held on 1st March, 1999 was considered. It was adopted by the Council on the proposal of Councillor J. Burke, seconded by Councillor Mannion.

MATTERS ARISING FROM MINUTES

Water & Sewerage Investment Programme 1999 - Minute No. 5343

Councillor Callanan asked that funding for the Craughwell Water Supply Scheme be sought under the Capital Schemes Programme.

Tullykyne Castle - Minute No. 5350

Councillor Gavin outlined the case where the landowner has been refused permission to make safe a dangerous wall at Tullykyne Castle. Tullykyne Castle is a listed building which has not been taken in charge by either Galway County Council or the Heritage Council. The Council has diverted traffic from the nearby local road due to the dangerous condition of the castle wall. The landowner is unable to repair the Castle or insure the property due to its current condition. Councillor Gavin requested that a structural report on the condition be prepared.

Deputy McCormack stated that the Castle walls require urgent attention and the Council must do something to project the building.

Councillor Burke indicated that there were other buildings of historic interest in a similar state. He said that this is a major issue that needs urgent attention.

The County Engineer stated that in accordance with the Sanitary Services legislation, the Council had powers to deal with dangerous buildings. Mr. Colleran agreed to contact the Heritage Council to arrange a meeting to discuss current situation.

Councillor Gavin requested that the landowner be involved in any discussions that take place.

Waste Management Strategy - Minute No. 5363

Councillor Loughnane queried the situation regarding the location of the Thermal Treatment Plant in Galway City.

Mr. Nelson, Deputy County Manager said that a meeting was held with Messrs. M.C. O'Sullivan, Consultants, regarding preparation of a report outlining possible locations of the Thermal Treatment Plant. The report will be presented to the Members of the Galway County Borough Corporation and County Council in the coming months.

Report of Protocol Meeting of 1st March 1999 - Communication with Planning Department

Councillor McClearn stated that a three week waiting period for Councillor to meet with Planning Officials is unacceptable. He proposed that Planning and Senior Officials be available to meet the Members on the day of the Monthly Meeting, as was previously arranged by the Manager.

Councillor McHugh said that the Manager's instructions are not being complied with, which undermines the position of the Elected Members of the Council.

Mr. T. Kavanagh, Acting Assistant County Manager replied stating that it was agreed that as far as possible the Senior Staff would be available at Council Meetings. However, this is not always possible due to Annual Leave, Sick Leave, etc.

Following further discussion, the Chairman confirmed that this matter would be discussed at the Council Meeting to be held on 12th April, 1999.

TO APPROVE SALE OF SITE AT ARD AOIBHINN, 5413 ATHENRY

On the proposal of Councillor Regan, seconded by An Comhairleoir O'Neachtain, the Members approved the disposal of Site No. 18 comprising of 0.073 acres at Ard Aoibhinn, Athenry, County Galway, to Ms. Mary Fitzgerald, of 21 Oakfield, Oranmore, Co. Galway in accordance with Notice dated 9th March, 1999, under Section 83 of the Local Government Act 1946, and Section 88 of the Housing Act, 1966, a copy of which having been circulated to each Member.

TO CONSIDER REPORT UNDER LOCAL GOVERNMENT 5414 (PLANNING & DEVELOPMENT) REGULATIONS 1994

The Members were circulated with Report dated 15th March 1999 regarding the construction of single rural houses with appropriate treatment facilities at the following locations:-

Ballybaun, Headford, Co. Galway Castlegar, Kilcolgan, Co. Galway Laurencetown, Ballinasloe, Co. Galway Kilroe East, Spiddal, Co. Galway Derryoughter, Moycullen, Co. Galway Ballynacreg South, Corrofin, Co. Galway

and construction of extensions to existing dwellings at the following locations:-

6 Caherroyn Avenue, Athenry, Co. Galway Garrafrauns, Dunmore, Co. Galway.

The proposed developments are in accordance with the proper planning and development of the areas and the County Development Plan. On the proposal of Councillor Mannion, seconded by Senator McDonagh, the Members agreed to proceed with the proposed developments as outlined.

ROAD WORKS PROGRAMME 1999

5415

A copy of the Programme had been circulated to each Member. On the proposal of Sen. J. McDonagh, seconded by Cllr. K. Quinn, the members approved to the 1999 Roads Programme.

Cllr. O'Neachtain expressed his disappointment with the roads allocation and with the exclusion of the R336 - Galway Cois Farraige road from this years EU Non-National Roads Programme. He stated that the R336 is the worst regional road in the Country and consequently, the most dangerous because of its sub-standard state and the high volume of traffic using it. The road currently serves seven industrial estates, a major fishery harbour, and a regional airport. The Department of the Environment has ignored the recommendations of this Council by excluding this road from the 1999 £2.3 million funding package. He said that he could not support the 1999 Roads Programme without the R336 being included. Cllr. O'Neachtain proposed that the Council write to the Department of the Environment and Local Government and ask why this road has been left off the list of roads for funding. Deputy P. McCormack seconded this proposal.

The Chairman reminded the members that the 1999 Roads Programme was discussed at the Area Meetings and the members views on roads receiving funding or otherwise should have been raised at the Area Meetings.

Cllr. O'Tuathail queried the logic in Galway County Council adopting a Five Year Roads Plan, only to have it's recommendations changed by the Department of the Environment. He said that an explanation should be sought from the Department.

Cllr. McClearn proposed that Local Improvement Scheme roads serving houses be given priority under the 1999 Local Improvement Scheme. Cllr. M. Mullins seconded this proposal.

The County Engineer agreed to examine the current waiting list for Local Improvement Schemes and to advise the Members on the current position.

AFFORDABLE HOUSING SCHEME

5416

Mr. J. Tierney, Assistant County Manager, outlined the Affordable Housing Scheme announced by Minister Robert Molloy, T.D., to address the problem of affordability of housing for lower income households. A copy of report dated 22nd March, 1999, detailing the scheme was circulated to each member.

Mr. Tierney informed the members that a pilot scheme, for approximately 16 houses, in Tuam, will be presented to the members within the next six weeks. Lands are currently being acquired in Athenry for the new scheme and these lands should be available early next year. A second site in Tuam will also be able to cater for the new scheme. A potential site in Gort is also being investigated. The exact number of houses to be determined by the Council and the Department of the Environment. He advised the members that the Council would be taking the profit margin out of the price of houses and this would benefit the purchaser. Mr. Tierney stated that in future, when the County Council is acquiring further land in urban areas, it must have regard to making a portion of the lands available for private housing.

Cllr. T. Hussey welcomed the introduction of this new scheme which will enable young people who are currently driven out of the housing market to acquire housing.

Cllr. Loughnane queried whether the land currently available in Loughrea will be part of the new scheme. He also welcomed the proposed scheme for Athenry.

Cllr. T. Byrne asked that the Council seek to have the scheme extended to include small towns. Cllr. McClearn welcomed the scheme and said it was a step in the right direction. He said that an incentive scheme similar to tax incentives included in Urban Renewal Scheme should be considered to encourage housing in small rural towns and villages.

Mr. Tierney replied stating that the scheme concentrates on urban areas and affordability within areas where housing is more expensive. He said that the Council is currently preparing its 1999 Housing Programme and indicated that the land in Loughrea will form part of the Council's Local Authority Housing Programme. A report on same to be presented to the members at the next meeting.

On the proposal of Cllr. J. Burke, seconded by Cllr. M. Regan, the members noted to the Affordable Housing Scheme as presented.

OMBUDSMAN'S REPORT

5417

Cllr. M. Fahy raised matters quoted in the Ombudsman Report relating to Local Authorities.

Mr. Tierney replied stating that the Council is awaiting a copy of the Ombudsman's Report in order to address queries raised.

OFFICIAL OPENING OF ATHENRY HERITAGE CENTRE AND GORT FIRE STATION

This item was deferred.

CONFERENCES

5419

5418

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

Conference - 26/28 February 1999

Cllr. P. Finnegan

"Working together for the future" Conference - Cork - 5/6 March, 1999

Cllr. P. Finnegan

LAMA Conference - Waterford - 8/9 April 1999

Cllr. T. Byrne	Cllr. P. Finnegan	Deputy P. Connaughton
Cllr. C. Ni Fhatharta	Cllr. T. Hussey	Cllr. P. McHugh
Cllr. M. Ryan	Cllr. E. Varley	

Conference - Cork - 30 March 1999

Cllr. P. O'Tuathail	Cllr. J. Mannion	Cllr. T. Byrne	
Cllr. Hussey	Cllr. J. Callanan		

CHAIRMAN'S BUSINESS

5420

Renaming Gort Town

Councillor Cunningham said that the signing of the Contract for the Gort Heritage Centre, which took place on Friday, 19th March, 1999 was an historic day for the town. He proposed that Gort be known as Gort Insa Guaire, and all signs be changed accordingly.

Councillor J. Burke seconded this proposal.

LOCAL ELECTIONS 1999

5421

Senator McDonagh asked the following regarding the forthcoming Local Elections:-

- Closing date for nominations from those seeking election
- · whether the new Polling Scheme will be operational for this election
- · closing date for names to be included in the Supplementary Voting Register

Councillor Walsh queried Postal Votes.

Mr. Kavanagh replied stating that the closing date for nominations for the Local Elections is 12 noon on 22nd May 1999. The closing date for names to be included in the Supplementary Register and those seeking postal votes is 24th May 1999. Mr. Kavanagh confirmed that the new Polling Scheme will be in place for the June Elections.

GALWAY/CONNEMARA/TUAM ELECTORAL AREA 5422 COMMITTEES

The boundary changes for County Galway, wherein the Galway Electoral Area will no longer exist, will come into effect for 1999 Local Elections. The Members of this Electoral area requested that they be allowed attend the Connemara/Tuam Electoral Area Meetings. This request was considered by the Members of the Connemara and Tuam Electoral Area Committee and agreed that the Members of the Galway Electoral Area be invited to the Area Meetings with observation status.

The Members requested that Area Committee Meetings be held at suitable times and relevant Technical Staff attend same.

PROTOCOL COMMITTEE MEETING

5423

Councillor Loughnane called for the abolition of the Protocol Committee stating that the issues addressed by the Committee are of interest to all the Members and should not be decided by a Committee.

The Chairman stated that the report of the Protocol Committee is presented to the Members for consideration and adoption by the full Council.

An Comhairleoir O'Tuathail asked why the Council continued to lease premises in Woodquay Court now that the new County Hall had been completed. Councillor Callanan asked that Councillors be issued with swipe cards giving access to Council offices.

The Chairman confirmed that these items would be addressed at the next Protocol/Accommodation Committee Meeting.

NOTICE OF MOTIONS

N.O.M. NO. 10 - SURFACE DRESSING - CLLR. P. MCHUGH

5424

The following written reply was given to Councillor McHugh

"This road is not included in the 1999 Road Works Programme. Reconstruction work would be required which would cost approximately £10,000. The area engineer will assess the road to see if maintenance work would be any benefit."

N.O.M. NO. 11 - "RUMBLE STRIPS" - AN COMH. C. 5425 NI FHATHARTA

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

"Níl an Comhairle Condae sásta rumble strips a chuir ar an mbóthar ag an láthair thuas luaite.

Tá a lán comharthaí bothar agus linnte curtha ar fáil cheanna féin.

Beidh muid ag coinneál suil ar an scéal."

N.O.M. NO. 12 - SPCs - CLLR. T. BYRNE

5426

This item was proposed by Councillor Byrne, seconded by Senator McDonagh and resolved that the Minister for Environment and Local Government be asked to finalise the staffing arrangements as quickly as possible to enable the SPCs to come into operation.

N.O.M. NO. 13 - LIGHTING - CLLR. M. CUNNINGHAM 5427

The following written reply was given to Councillor Cunningham:-

"This location is not included in the 1999 public lighting programme. It will be considered for next year's programme. Alternatively if the local community wish to apply for a community lighting scheme whereby the community pay for the erection of the lights and the Council then take them in charge this will be considered."

N.O.M. NO. 14 - TRAFFIC LIGHTS - CLLR. M. CUNNINGHAM

5428

The following written reply was given to Councillor Cunningham:-

"This is a junction of the N18 with the N66. A traffic count was carried out and the volume of traffic does not meet the warrant for traffic lights. It is hoped to provide a second lane on the entrance from Loughrea as part of the lining contract for National Routes."

N.O.M. NO. 15 - ROAD IMPROVEMENTS - CLLR. M. 5429 CUNNINGHAM

The following written reply was given to Councillor Cunningham:-

"This road would be a suitable project for a Local Improvement Scheme (application form attached). It would not meet the criteria for taking in charge as there are no dwellings on it and it serves lands only."

N.O.M. NO. 16 - GORT R.W.S.S. - CLLR. M. FAHY

5430

The following written reply was given to Councillor Fahy:-

"The Council are at the present time preparing an assessment of needs for water services capital works in the County. The Gort Regional Water Supply Scheme will be examined in the context of this assessment."

N.O.M. NO. 17 - ROAD - CLLR. M. FAHY

5431

The following written reply was given to Councillor Fahy:-

"The estimated cost of bringing the first 202 metres up to the standard required for taking in charge is £3,030."

N.O.M. NO. 18 - FLOODING - CLLR. M. FAHY

5432

The following written reply was given to Councillor Fahy:-

"This work will be carried out this year."

N.O.M. NO. 19 - SIGNS - CLLR. M. LOUGHNANE

5433

The following written reply was given to Councillor Loughnane:-

"Signposts for Athenry and Loughrea are being erected this week. A sign for Craughwell is not considered necessary."

N.O.M. NO. 20 - FLASHING LIGHTS - SEN. J. MCDONAGH

5434

The following written reply was given to Senator McDonagh:-

"This school is not included in the 1999 programme for flashing lights. It is inside a speed limit zone and priority has to be given to schools outside speed limits where there is fast moving traffic. It will be considered for next year's programme."

N.O.M. NO. 21 - LINING - SEN. J. MCDONAGH

5435

The following written reply was given to Senator McDonagh:-

"This junction will be dealt with as part of the lining contract for National Routes which will be executed this year. In the meantime warning signs are in place."

N.O.M. NO. 22 - SAFETY MEASURES - SEN. J. MCDONAGH

5436

The following written reply was given to Senator McDonagh:-

"The junction referred to is the N18/R339 at Carnmore. An evaluation of this junction will be carried out in the near future to consider what improvements are appropriate and to prepare a submission to the N.R.A. for funds to carry out the work."

N.O.M. NO. 23 - REILG - AN COMH. C. NI FHATHARTA

5437

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

"Beidh sé an deacair an faidhb leis an tuisce a laigheas ag an láthair seo mar gheall ar go bhfuil an teach conai beagnach buailte ar an mbóthar.

Beidh muid ag cuir caoi ar an mbóthar i mbliana agus más féidir aon rud a dhéanamh faoi an tuisce ag an am sin déanfar é.

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

5438

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

"Beidh sé an deacair an faidhb leis an tuisce a laigheas ag an láthair seo mar gheall ar go bhfuil an teach conai beagnach buailte ar an mbóthar.

Beidh muid ar cuir caoi ar an mbóthar í mbliana agus más féidir aon rud a dhéanamh faoi an tuisce ag an am sin déanfar é."

N.O.M. NO. 25 - UISCE - AN COMH. C. NI FHATHARTA 5439

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

"Tá an diuscairt dramhail uisce on gCeathru Rua ag eloi leis an Doicmeadu maidir le Dramhail Uisce Uirbigir agus chinntigh suirbhe hidreadinimiciuil sonraithe a cuireadh I grich I 1996 e seo. D'fheadfadh go mbeadh fadhbanna aitiula ann mar thoradh ar bhruscar scaoilte. Is fadhb I seo ag aiteanna eile ata cois farraige agus ta an Chomhairle Chontae ag cur staidear eile I gcrich I gCloch na Ron agus sa Spideal faoi lathair. Nuair a bheas na suirbheanna seo criochnaithe agus a n-eifeachtuilacht meastaithe, deanfaidh an Chomhairle Chontae cinneadh maidir le suirbhe a dheanamh ar an gCeathru Rua."

N.O.M. NO. 26 - ROAD REPAIRS - CLLR. J. CONNEELY 5440

The following written reply was given to Councillor Conneely:-

"This road is included in the 1999 Roadworks Programme. Potholes were repaired but some more have developed mainly due to the weather conditions. These will be repaired in the near future."

N.O.M. NO. 27 - ROAD RESURFACING - CLLR. J. 5441 CONNEELY

The following written reply was given to Councillor Conneely:-

"This road is not included in the 1999 Road Works Programme. Routine maintenance will be carried out."

N.O.M. NO. 28 - GRAVEYARD - CLLR. J. CONNEELY 5442

The following written reply was given to Councillor Conneely:-

"The Council budget for Graveyard Maintenance is very limited and works in question will be undertaken if funds permit."

N.O.M. NO. 29 -ROAD REPAIRS - CLLR. S. O'NEACHTAIN

5443

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

"Knockdoe road leading to Lackagh cemetery has been repaired in the vicinity of the N17. The road is included in the 1999 Roadworks Programme."

N.O.M. NO. 30 - ROAD REPAIRS - CLLR. S. O'NEACHTAIN

5444

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

"There is £82,913, allocated for surface dressing this road in this year's Road Works Programme. Work will commence as soon as possible."

N.O.M. 31 - WALL BUILDING - CLLR. S. O'NEACHTAIN

5445

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

"Walls are the property and responsibility of landowners and are only repaired by the Council with landowners permission where realignment is carried out.

N.O.M. NO. 32 - ROAD IMPROVEMENTS - CLLR. P. 5446 O'SULLIVAN

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

"Routine maintenance has commenced and will be completed in the next few weeks. This road is not included in the 1999 Roadworks Programme."

N.O.M. NO. 33 - ROAD IMPROVEMENTS - CLLR. P. 5447 O'SULLIVAN

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

"Approximately 120m. of this road has already been piped but only to the standard suitable for a verge. A further 200m remains to be piped and it will cost approximately £4,000 to carry out this work to a standard suitable for a verge.

To lay the pipes to a standard suitable for a carriageway would be very expensive and would also affect land drainage.

The Area Engineer will be examining the matter in more detail and you will be informed of the outcome as soon as possible."

N.O.M. NO. 34 - ROAD IMPROVEMENTS - CLLR. P. 5 O'SULLIVAN

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

"This road is not included in the 1999 Roadworks Programme. However, some remedial work has been carried out recently."

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved + Signed +

Chairman Chairman

26th april 1999 Dete

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY HALL, PROSPECT HILL, GALWAY ON FRIDAY, 12TH MARCH, 1999

Cathaoirleach:-

Councillor J. Brennan

Cllrs. J. Burke, W. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, M. Cunningham, M. Fahy, M. Finnerty, S. Gavin, 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 & T. Walsh.

Oifigigh:-

Messrs. D. Nelson, Deputy Co. Manager, J. Tierney, Asst. Co. Manager, T. Kavanagh, A/Asst. Co. Manager, E. Power, A/Co. Secretary, J. Colleran, Co. Engineer, R.C. Killeen, A/Deputy Co. Engineer, A. McCarthy, Forward Planning, N. Burke, A/Exec. Engineer, D. Barrett, A.O., B. McDermott, S.S.O., A. Farrell, S.O., E. Hourigan, A.S.O. & A. Whelan, C.O.

Thosnaigh an crinniu leis an paidir.

The Chairman welcomed Marian Ní Shuilleabháin, News Reporter for Radio na Gaeltachta to her first Council Meeting.

VOTE OF SYMPATHY

5398

A Resolution of Sympathy was passed with the following:-

Michael & Caitlin O Toole, Leenane, Conamara, Co. Galway Gerry & Margaret Scully, Doughiska, Merlin Park, Galway

RESIDENTS OF GARVAHY ROAD, PORTADOWN 5399

Councillor Fahy informed the Members of a recent meeting with representatives of the Garvahy Road Residents at which ongoing problems were outlined. He proposed that the Council write to the Taoiseach, Minister for Foreign Affairs and the American Ambassador requesting that every effort be made to resolve the difficult situation facing the people of the Garvahy Road, Portadown.

This proposal was seconded by Councillor Cunningham, and agreed by the Council.

GROUP WATER SCHEMES

5400

Referring to Group Water Supply Schemes, Councillor Gavin said that many of the Groups established in the 1960's/1970's no longer exist. He suggested that the Council examine the possibility of holding public meetings throughout the County to discuss and obtain local knowledge regarding the current status of groups. Councillor Gavin also proposed that seminars be arranged for the Trustees of Group Water Schemes to inform them of grants/subsidies currently available.

An Comhairleoir O'Tuathail said that a grant of £1,600 per house to lay a water supply pipe is inadequate. He said that the grant must be increased. He requested that as an example, the cost of laying a water pipe in the Connemara area be prepared and presented to the Department of the Environment and Local Government.

Councillor Callanan queried if there was any health risks from water passing through asbestos pipes.

Mr. Nelson, Deputy County Manager replied stating that the Council is preparing a County Rural Water Plan. Prior to approaching the Department for increased funds, this plan must be adopted by the Members. Mr. Nelson indicated that Councillor Gavin's proposal concerning seminars for Trustees of group water schemes will be considered. He said that a report giving an overview of public and group water schemes will be presented to the Members at the April Meeting.

Mr. Colleran, County Engineer informed the Members of a National study currently being undertaken by the Department of the Environment and Local Government regarding group water schemes. He said that the views of the Members would be forwarded to the Consultants involved in the current study. He also stated that National Studies confirm that there was no detrimental risk to health from the asbestos pipes.

WASTE MANAGEMENT - LANDFILL SITE

5401

Councillor Mullins asked the Deputy County Manager to confirm the report in Connacht Tribune of 12th March, 1999 that the Council would not be contacting land owners of potential landfill sites until the Autumn at earliest.

Councillor Quinn asked that a copy of the Waste Management Strategy and County Development Plan be circulated to each household within the environs of the shortlisted landfill sites.

Mr. D. Nelson, Deputy County Manager, replied that the Members had resolved that the site for the Thermal Treatment Plant be identified before proceeding with the site investigation of proposed landfill sites, and he indicated that the terms of this resolution had been noted. Mr. Nelson confirmed that a summary of the Waste Management Strategy would be circulated to each household in the shortlisted areas within the coming weeks. In regard to the County Development Plan, he said that extracts from the Plan referring to waste management would be circulated to relevant households and he advised that both Plans are available for public inspection at Council offices.

AFFORDABLE HOUSING SCHEME

5402

Deputy Connaughton requested further information on the new Affordable Housing Scheme introduced by the Government.

Mr. Tierney, Assistant County Manager said that the Affordable Housing Scheme will be part of the Local Authority Housing Programme. The Scheme will concentrate mainly in major towns. It is hoped that a pilot project will take place in Tuam. A report on the scheme will be prepared for consideration by the Members at the next Meeting.

CONFERENCES

5403

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

Colmcille Heritage Trust - Letterkenny - 26/28 February 1999

Cllr. J. McClearn

Cllr. T. Walsh

General Council of County Councils - Malahide, Co. Dublin - 19/20 February

Cllr. M. Regan

Partnership in Action Conference - Monaghan - 5/6 March 1999

Cllr. M. Fahy Cllr. E. Varley

7th Annual Kerry Environmental Conference - Listowel - 18/20 March 1999

Cllr. T. Walsh

Deputy P. Connaughton

Cllr. M. Mullins

Cllr. E. Varley

Cllr. M. Fahy

Tourism & the Environment - Bundoran - 20 March 1999

Cllr. M. Regan Sen. J. McDonagh Cllr. M. O'Neill Cllr. K. Quinn

Cllr. M. Loughnane Cllr. M. Finnerty

Cllr. J. Brennan

Town Twinning - Carlow - 26 March 1999

Deputy P. Connaughton Cllr. T. Byrne

Cllr. P. McHugh Cllr. M. Fahy

Cllr. E. Varley

LAMA Conference - Waterford - 8/9 April 1999

Cllr. J. Brennan Cllr. M. Regan Cllr. J. Conneely

Cllr. S. O'Neachtain

Cllr. K. Quinn Cllr. P. O'Tuathail Cllr. M. Loughnane Cllr. T. Walsh

Sen. J. McDonagh Cllr. J. Callanan Cllr. M. Cunningham

APRIL PLANNING MEETING

It was noted that the Protocol Committee had recommended that the April Planning Meeting scheduled for 9th April 1999 be rescheduled to 12th April 1999. This was agreed by the Members.

COUNTY DEVELOPMENT PLAN - REVIEW OF PLANNING CONTROL POLICY

5405

Mr. J. Brennan, Chairman, called on Mr. D Nelson, Deputy County Manager, to outline the submissions received from the Councillors in relation to item no. 1 on the Agenda. Mr. Nelson outlined the submissions received as follows:-

- That planning restrictions on housing development on Regional Roads R348
 R355 be relaxed and specifically that restriction no. 3 on Table 8B, page 67 of
 the County Development Plan be modified to exclude the words "who already
 reside along these routes."
- 2. That planning restrictions on housing Development in rural areas outside of designated development zones be relaxed and specifically:
 - Small farmers be allowed sell housing sites on County Roads
 - Ribbon development provisions in County Development Plan be relaxed to assist housing development
 - 1 ½ mile radius rule in County Development Plan Chapter 7.2.1.

 (ii) be eliminated in respect of the environs of Athenry located in Loughrea electoral area.
 - Ribbonizaton would relate to house numbers rather than 5 at any one location
- 3. That details of service charges to be brought before Council meeting.

He then requested Mr. J. Colleran, County Engineer, to speak on the roads issue.

County Engineer referred to the suggestion that planning restrictions on housing development on Regional Roads R348 and R355 be relaxed and said that the restrictions on these routes were imposed on grounds of good planning and road safety. He said that the Regional Roads R348 and R355 were among the busiest and most important of the Regional Routes in County Galway. Both routes are not aligned to the required standard and are unlikely to be realigned in the future.

He said both routes carry a significant volume of commercial vehicles for the agricultural, creamery and forestry industries and the R355 is also an important tourist link in East Galway. The County Engineer said that the number of access points onto a route has a significant impact on the accident history of the road. The greater the number of access points, the greater the risk of accidents. He said that this has been a well established principle in road safety and is borne out by the accident statistics on the two roads referred to. The County Engineer recommended that the planning restriction on these routes should not be relaxed.

Mr. G. McCarthy, S.E. Planning, then addressed the meeting and read from a prepared report as follows:-

"1. Planning Restrictions on Regional Routes

In relation to issue (1) Table 8 (B) from page 67 of the County Development Plan is set out below:-

Table 8. B Class II Control

	Road Description	Route No.	Restrictions
1.	Galway-Clifden	N. 59	1. Only commercial* industrial* or
	Leenane-County Boundary	24	institutional* and community
2.	Laghtgeorge-Mountbellew	N.63	facilities development and use with
	Ballygar-Co. Boundary		special fully substantiated need for
3.	Ballydavid-Portumna	N.64	location on these routes will be considered
4.	Gort-Loughrea	N.66	2. Individual houses only shall be
5.	Kilcolgan-Kinvara-Co.	N.67	permitted which are in the family
	Boundary	investment i	housing
	the effects of roadside dev	lopment.	need category as defined in Table 8.3.2.
6.	Tuam-Dunmore Co. Bdy	N.83	3. On Regional Routes R348 (Athenry
7.	Galway-Headford-Shrule	N.85	-Ballinasloe) & R355 (Ballinasloe-
8.	Tuam-Bearnaderg-Horseleap	R332	Portumna) the essential housing need qualification shall include an additional
9.	Galway-An Spideal	R.336	category as follows, a house for family
	Ballnahown Cross		member on the family land of a land
10.	Galway-Carnmore-Monivea	R.339	owner who already resides along these
11.	Derrydonnell-Athenry	R.348	routes. Such a member may include a
	Ballinasloe		son, daughter, brother or sister
12.	Ballinasloe-Portumna	R.355	0

This objective sets out to limit housing development on specified traffic routes, to the essential needs of these landowners and their families who reside along these routes. The restrictions are specifically aimed at landowners who reside and have a land holding off these restricted routes but have lands on the restricted route. In such cases a grant of permission will only be considered on the lands off the restricted route.

This provision/objective is aimed at maintaining major traffic routes free from direct access by non essential development in order to protect the level of service and carrying capacity of these routes.

National Policy on Major Traffic Routes

The case for restricting development on major traffic routes has been made as far back as 1970 with the publication of "RT42 Roadside Development, Traffic and Safety on Arterial Roads" by An Foras Forbartha following a comprehensive survey of development on such routes and Development Plan provisions relating to such development. The relating following extract from that document covers the summary and recommendations.

SUMMARY AND RECOMMENDATIONS

SUMMARY

The following are the main points in relation to rural arterial roads which emerge from the study:-

- 1. Arterial roads are the major surface link for long and medium distance traffic. Situations created by development alongside them interfere with this function.
- 2. Much roadside development, residential, commercial and industrial, already exists on some of the principal arterials and there is intense pressure on planning authorities to permit further development.
- 3. All forms of development on arterial roads have an adverse effect on traffic flow.
- 5. Much of the large national investment in arterial roads has been dissipated by the effects of roadside development.
- 6. Service to arterial users does not require that retail establishments, such as taverns, motels or shops be sited on the arterial road itself. Service to users by filling stations is more than adequately met by their existing distribution in all but the most exceptional situations.
- Existing policies and standards relating to development vary from county to county.

RECOMMENDATIONS

The following recommendations in relation to rural arterial roads are based on the findings of this study;-

- (i) that a general policy be implemented prohibiting all new accesses on arterial roads, except those required to rationalise existing accesses,
- (ii) that development along arterial roads be strictly controlled under the Local Government (Planning and Development) Act, 1963,
- (iii) that uniform policies and standards should be applied where alterations are contemplated to existing developments and where an exceptional situation arises in respect of filling station service,
- (iv) that improvements in the arterial road network should be sought by:
 - (a) safeguarding the right of way for future improvement,
 - (b) closing non-essential accesses and junctions,
 - (c) rationalising necessary accesses and junctions where arterial road works are planned.

The case for restricting development on major traffic routes is further made by the National Roads Authority.

2. Restrictions on Housing Development in Rural Areas

This issue is dealt with in Chapter 7 of the County Development Plan and the relevant extract from Chapter 7 Section 7.2.1 as set out below:

7.2.1 OBJECTIVE NO. 1 RIBBON DEVELOPMENT

To control ribbon development in rural areas

(i) Definition

Ribbon development is defined as a group of (five or more) closely sited existing (or permitted) developments which have a frontage on an existing public or non-public road. A public road is defined as a road, for which the County Council has accepted responsibility for its maintenance.

(ii) DEVELOPMENT CONTROL POLICY

The Planning Authority will restrict the spread of ribbon development by considering grants of permission solely for the development of single sites so that each case can be considered on its merits. The principal focus of the policy is the eastern environs of Galway City as delineated on Map. No. 12.

This restriction applies to (a) the area of Special Development Control around Galway City as defined on the relevant map and (b) to areas within one and a half miles of Ballinasloe, Tuam, Loughrea, Athenry, Gort, Clifden, Portumna, Headford, Oughterard, Mountbellew/Moylough. These distances are measured from the planning boundaries of the towns or the 40 m.p.h. speed limits, as appropriate.

This objective is aimed at limiting the development of urban generated housing in rural areas outside of designated development zones.

National Policy on Urban Generated Housing in Rural Areas

The objective on controlling ribbon development in the County Development Plan is broadly in line with national policy on urban generated housing as set out in the national sustainable development strategy (i.e. Sustainable Development - A Strategy for Ireland) published by the Department of the Environment in 1997. The following is an extract from this document which deals with the built environment.

Urban Generated Housing in Rural County Galway

In addition to national policy on urban generated housing development as set out above I would like to make the following observations in relation to such development in County Galway.

 There has been considerable housing development in rural areas over the past 20-30 years while at the same time towns and villages in these rural areas were in decline. This appears to indicate that such housing development does not in fact benefit the towns and villages but rather contributes to this decline. Under utilisation of existing infrastructure has also occurred in some cases.

2. It is fair to say that until recent times the towns and villages in the County, due to decline and dereliction did not provide an attractive alternative to once off rural housing.

This is now changing, however, due to the following reasons among others:-

- (i) Local urban and village renewal which has brought about significant improvements in the physical environment.
- (ii) Draft Town Development Plans are being prepared designating substantial lands for housing, shopping, industry, recreation and amenity and other activities. Sufficient lands have been identified in selected towns to accommodate in excess of 15,000 houses. These figures do not include a large number of other towns.
- (iii) The Serviced Land Initiative being administered by the Department of the Environment will assist Galway County Council in opening up zoned lands to facilitate housing development.
- (iv) Action Area Plans which will follow Town Development Plans will provide detailed guidelines for the development of high quality living environments in lands zoned for development.
- 3. Once off sites in rural areas are not cheap and are not the answer to the provision of low cost housing for purchasers on medium to low incomes. Allowing farmers sell sites for such housing development in rural areas may result in a short term gain for the individual but a loss to the community overall in the longer term for the reasons set out above in the National Sustainable Development Strategy. Neither are landowners financial needs an adequate planning basis for making a variation to the County Development Plan.
- 4. With increasing affluence, people, wherever they choose to live, expect and are entitled to a wide range of services. Despite this increasing wealth those who choose to live in the countryside cannot afford the real cost of the services which they expect (e.g. roads, footpaths, water, sewage, public lighting, community facilities, recreation and amenity etc.). This shortfall is greater if long term environmental costs such as consumption of fossil fuels etc are taken into consideration. Public Authorities are not and will not be in a financial position to provide such services in rural areas. The way forward is to build up the towns and villages to enable them to support the range of services necessary to sustain rural communities and provide them with an acceptable level of services. Those towns and villages should also provide choice in terms of locations and density to suit varying tastes in a high quality living environment.

5. Most housing in rural areas are served by septic tank drainage which poses a serious threat to ground water. A document relating to septic tank drainage in County Galway is being prepared by the Environment Section of Galway County Council.

Conclusion/Recommendation

The current County Development Plan is generally in line with national policy on urban generated housing in rural areas. This policy is aimed at building up existing settlements and restricting such housing in rural areas. The future of rural communities hinges on the provision of an acceptable level of services which can only be provided in towns and villages. No valid case has been made, from a planning viewpoint, for changes to the County Development Plan in respect of (1) housing on Regional roads or (2) housing in rural areas mentioned, in the Notices of Motion and set out in Chapter 7 and 8 of the County Development Plan. Therefore at this time no changes are recommended to the County Development Plan 1997."

The Chairman then requested Councillor M. Cunningham to speak.

Councillor Michael Cunningham read his submission to the Council regarding the relaxation of Ribbon Development Control as follows:-

"I feel that Galway County Council Planning Section without adversely affecting the proper planning and development of the area could make the following concessions:

- 1. Cul-de-sac type county road the only people using that road are the people living on the road.
- 2. If the cul-de-sac road has a public water supply serving it there should be less of a problem with it with regard to allowing development on it from a planning point of view.
- 3. If the junction of the cul-de-sac road with the National road network or a Regional road is within the speed limit zone for the higher class of road there should be no difficulty from a traffic point of view. That would remove another common argument put forward by the planners to restrict ribbon development. The road serving Stradbally North meets the three criteria mentioned above.
- 4. If the cul-de-sac road is off another County Road the argument about a traffic hazard at its junction with higher class county road would generally not apply as traffic volumes on most county roads are quite low. Right turning movements at those junctions would generally not be hazardous regardless whether the said junction is inside or outside the speed limit zone.

It will be more difficult to make a case for the through roads. If the road frontage required (presently set at a minimum of 75 feet) was increased to say 150 or 200 feet and if the houses were recessed well back from the public road so that they could be adequately screened then favourable consideration would be given to that situation by the planners. It might not be that acceptable to the landowners. However, if they had a choice between that and no planning permission at all they would probably go along

with it. If the houses were well back from the road, say 50 yards, it would be possible to adequately screen the house with native Irish trees like Whitethorn, Hazel, Holly, Mountain Ash etc. You would have effectively just a driveway going through the fifty yards mentioned above with the house sufficiently screened away in at the end of it. If you were loosing the argument with the planners you might concede that only bungalow type houses be built.

Those arguments should allay the Planners concerns that the rural character of the countryside would be destroyed by allowing houses to be built. Finally, it is not sufficient for the planners to say that any further houses cannot be built in rural Ireland. They must take some of the blame themselves for not adequately screening, by appropriate planting, the houses that have been granted planning permission. The floor level of each house, relative to the road level abutting, should be stipulated in all planning permissions. The planners seem only to be concerned about the colour of the roof and the parking area in front of the house. Plastered block walls in front of a house do more to change the rural character of the countryside than the house itself. The original fence should be kept relocated if necessary but not replaced. Leylandi trees should be banned. All the foregoing should be acceptable to anybody that wants to live in rural Ireland. If not they should be live in a housing estate. For everybody to prosper compromises must be made by the planners, the landowners and prospect rural dwellers. That way the countryside can prosper and we can still hand it onto the next generation in good staid.

He continued by listing the following points from a further statement:-

- "1. An applicant should be able to build a house in off the established building line provided adequate screening and window don't overlook other properties that area in place, and a 75' frontage is attainable.
- 2. Ribbon development and crest type development should be allowed close to villages and near schools provided they are no greater than 10 12 houses on half to one acre sites on septic tank.
 - A. This gives greater security.
 - B. One access off road.
 - C. Play areas and high levels and landscaping.
- 3. Try to get rid of the one and half mile rule from listed towns.
- 4. Too many controls in present plan.
 - A. Areas of High Amenity
 Special Amenity
 N.H.A.
 Galway Environ.
 Ribbon Development

Point to Note

Clarenbridge have 2 bye-passes shown on Development Plan and development not allowed near any of those.

- 5. If ribbon development is not allowed, give distance for guidance between each group of houses.
- 6. Gave guidance on new Plan of number of houses per acre, but some planners only allow 6 per acre.
- 7. Crest type development encourages people into smaller towns. "

Deputy Connaughton said that it was all very well to say we want to build up smaller towns and villages, when in fact people are not always allowed to build on their chosen site. He said that in an ideal world what Mr. G. McCarthy said will work but we are not living in an ideal world. If we are not careful all the development will be concentrated in a few areas only. He understood the difficulties involved in getting rules to cover everything, however, he could not understand some of the decisions to refuse permission which have issued in relation to ribbon development. He said that there is a genuine belief among Councillors that there will have to be a relaxation in relation to ribbon development in order to allow people to live in rural areas.

Councillor M. Regan said that he agreed with the two previous speakers. He said that we have to be realistic regarding the County Development Plan. He pointed out that most of the enquiries dealt with by the Councillors in relation to planning issues refer to ribbon development. He felt that there was no problem initially when the Plan was adopted. He also felt that there are inconsistencies among the approach taken by the Planners.

Deputy McCormack said that a meeting should be held where the Councillors could sit down with all the planners and discuss the difficulties and problems with the implementation of the Development Plan. He said that there is a problem with the interpretation of ribbon development. He also said that requests for further information were still being issued at the end of the statutory 2 month period. He said that this causes frustration amongst applicants when they find that their decision has been postponed for a further 2 months. He suggested that a seminar be held with planners and councillors to discuss these issues.

Councillor O'Neachtain said that he wished to speak specifically in relation to the Connemara area where there is a perception that there is a problem regarding planning. He understood that most of Connemara is an area of Scenic Amenity where restrictions apply. The County Development Plan sets out specific categories where development is allowed as follows; (1) second family home; (2) returned emigrant; (3) employment in the area. He considered that this issue is not being interpreted properly by the Planners. He also said that emigrants should be allowed to build in their native abode. Referring to people working in the area he pointed out that when the County Development Plan was adopted it was understood that a Linguistic Impact

Statement was to be sought from those seeking to build in the Gaeltacht. This needs to be adhered to, otherwise a great injury will be done to the Gaeltacht area. There is an onus on us he said to ensure that the Gaeltacht areas of the county are protected. Priority should be given to a native person who wishes to live in his own area. He also wished to have the land owner situation clarified. He considers it should be "land owner" and not "farm holder" in the County Development Plan.

Councillor J. Burke said that the County Development Plan is not being implemented as the Councillors intended. He said that where a change in interpretation takes place, it must be done with the agreement of the Councillors. He suggested that a Committee be set up consisting of Councillors, Planners and County Manager to discuss these issues concerning the interpretation of the Development Plan.

Councillor T. Walsh suggested that agents who prepare planning applications for people should be consulted and informed of requirements.

Mr. D. Nelson, Deputy County Manager, said that given the thrust of the debate he felt that the S.E. Planning needed time to look at the issues raised before responding further. He advised the members that the planning staff frequently met with planning agents to explain the Council's policy and requirements. He also said the Council must have regard to national policy in its planning control policy.

Councillor M. Fahy said that the restriction on ribbon development was a major problem in rural areas where many small farmers with financial difficulties wanted to sell sites. Farming is not providing a viable income and people should be allowed to build in rural areas in order that rural parishes are developed. He thanked the County Secretary for supplying him with a schedule of development contributions.

Councillor O Tuathail said that there was inconsistency among the planners in the interpretation of the County Development Plan. He said that in one case an application for windmills was granted but that an application for a dwellinghouse was refused and this did not make sense. He said that planners will have to identify areas where planning permission will be granted in Connemara.

Councillor Loughnane said that it took 6 months to get this item on the Agenda. The question of ribbonisation depends on the interpretation of the planner. He raised the issue of the one and half mile restriction rule in the County Development Plan and proposed it be removed in the case of Athenry and this was seconded by Deputy Paul Connaughton.

Mr. D. Nelson, Deputy County Manager, responded by pointing out that submissions had been requested from the Councillors and it was only now that they were received.

Councillor McClearn said that the whole process of obtaining planning permission was getting more difficult and when the Councillors drew up the County Development Plan their aim was to make things easier for applicants. He said that the replies to the requests for further information could be dealt with more speedily. He felt that there are inconsistencies in relation to development allowed on the N.65 - this

roadway runs through Portumna into Tipperary and developments were allowed on the Tipperary side and refused on the Galway side. He requested clarification on what type of development will be allowed in such areas.

Councillor P. McHugh said that he did not think that planning agents need to be informed by the Council as to what Council policy is. He said that there was no onus on the Council to educate agents and that the major problem is in the interpretation of the County Development Plan in relation to ribbon development in rural areas. Councillor McHugh said this needs clarification and suggested that a committee be set up to deal with the planning issues raised.

Councillor Callanan said that he always received great co-operation from the planners and that the interpretation of the Plan seems to be the biggest problem. He proposed that the one and half mile restriction be removed in relation to Ballinasloe. He also requested clarification in relation to the Ballinasloe/Kilconnell road and the type of developments allowed on that road. He also asked for a definition of "farmer" in the context of the Development Plan. Councillor P. O'Sullivan seconded Councillor Callanan's proposal. He said that he wanted the rules and regulations in planning to apply to everyone. He noted that it was suggested that zoning might be taken away from the Councillors and he proposed that a letter be sent to the Department of the Environment and Local Government requesting that the power to zone land under the Planning Acts remain with Councillors. This was seconded by Councillor Sean O'Neachtain.

Councillor Mullins said that he also supported the proposal of Councillor Callanan and that he felt that the discussion was worthwhile as the issues needed to be sorted out. He said there was an inconsistency in decisions which the Councillors could not explain to applicants. If a large proportion of people wished to live in rural Ireland we should try to facilitate them, he said.

Councillor Ni Fhatharta said that she was surprised at the number of problems with the County Development Plan considering the amount of discussion that had taken place in its preparation. The Gaeltacht has to be developed but proper infrastructure is needed to facilitate development.

Councillor M. Mullins proposed that restrictions on the Portumna-Ballinasloe Rd. 355 and on the Kilconnell-Ballinasloe Rd. 348 as imposed in the County Development Plan, be relaxed. This was seconded by Councillor P. O'Sullivan. He also raised the question of landowner living along these routes. He understood that "living along this route" was not to be included in the Plan.

Mr. G. McCarthy, S.E. Planning, said that the overall aim of both officials and elected members was to support development in rural areas. He said that the issue was a complex one and was not simply a question of interpretation as the County is so diverse, the same solution will not suit all of the County. Large scale housing development in the countryside would create major problems with regard to infrastructure and the Council had to take the longer term view. He said the problems

in each area are different requiring different solutions. The visual impact of a house is not the only issue that needs to be addressed when assessing an application he said.

Councillor P. McHugh asked that the term ribbon development be clarified.

Mr. N. Burke, Acting S.E.E. Planning Control, outlined Chapter 7.2.1 of the County Development Plan which defines ribbon development i.e. Ribbon development is defined as a group of (five or more) closely sited existing (or permitted) developments which have a frontage on an existing public or non-public road In Paragraph (ii) Development Control Policy it states that the Planning Authority will restrict the spread of ribbon development by considering grants of permission solely for the development of single sites so that each can be considered on its merits. This restriction applies to (a) the area of Special Development Control around Galway City and (b) to areas within one and a half miles of Ballinasloe, Tuam, Loughrea, Athenry, Gort, Clifden, Portumna, Headford, Oughterard, Mountbellew/Moylough. These distances are measured from the planning boundaries of the towns or the 40 m.p.h. speed limits as appropriate. He pointed out that ribbonisation was referred to initially in a general way and then more specifically.

It was agreed by the Members that the issues raised would be again considered at the next Planning meeting.

Councillor M. Loughnane requested clarification on ribbonisation and the one and half mile radius rule. Councillor P. McHugh requested same.

The Chairman then outlined topics to be addressed:-

- 1. Ribbon Development.
- 2. Restrictions on road nos. R355, R347 and R348.
- 3. Gaeltacht issue:- what development is allowed for local people within high areas of scenic amenity.
- 4. Definition of landholder/farmer.

It was agreed that the above topics would be discussed at the next planning meeting to be held on 12th April 1999 at 2.30 p.m.

INTEGRATED AREA PLAN TUAM

5406

Councillor J. Burke said that the People of Tuam are disappointed at the level of designation awarded under the recent Urban Renewal Scheme. He said that the works outlined in the Plan presented an opportunity to revitalise the centre of the town. Councillor J. Burke requested that an appeal be made to Minister Molloy and the Department of the Environment and Local Government to re-examine the plan and the need for Section 23 Housing and Commercial development in areas outlined in the Plan.

Councillor McHugh agreed and supported sentiments expressed by Councillor J. Burke.

Mr. J. Tierney, Assistant County Manager stated that there is no formal appeal procedure regarding the Urban Renewal Scheme. He said that a submission will be made to the Minister following advice from Brady Shipman Martin Planning Consultants.

LOCAL GOVERNMENT OPEN WEEK - LOCAL 5407 CENTENARY EVENTS

Mr. T. Kavanagh, A/Assistant County Manager said that the Minister for the Environment and Local Government has organised a Programme at National level to commemorate the centenary of the Local Government system, which commenced with a Centenary Luncheon held in December, and after which a gold lapel pin was given to each Councillor. The Minister has declared that Local Government Open Week will commence on 9th May and all Local Authorities are asked to participate. The details of the National Programme are contained in Circular Letters LG 4/98 and LG 3/99, copies having been circulated to each Member.

Mr. Kavanagh stated that each Local Authority has been asked to organise local events. Galway County Council's main contribution to the Centenary Year is the Council's new Headquarters which will be officially opened by the Minister on 22nd April 1999. The Council also be opening new offices in Ballinasloe, in association with Ballinasloe U.D.C., together with a new Area Office and Fire Station in Gort. Mr. Kavanagh then outlined the proposed agenda for the official opening of the Council Offices on 22nd April 1999 which is the anniversary of the first Meeting of Galway County Council.

Mr. Kavanagh informed the Members that former Councillors and retired Staff of the Council had been invited to visit the new offices on Monday, 22nd March, 1999, after Monthly Meeting. A reception had been arranged for the occasion.

The Members noted and agreed same.

BAILE NA mBRABHACH, INVERIN

5408

An Comhairleoir O'Neachtain requested the situation at Baile na mBrabhach be reexamined and thanked the Officials for speedy reply to queries raised.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted Approved + Signed:

26 april 1999