

MINUTE COMHAIRLE CHONTAE NA GAILLIMHE 355

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON 24<sup>th</sup> JANUARY, 2000**

CATHAOIRLEACH: An Comhairleoir P. McHugh 356

ILATHAIR FREISIN:

Baill: Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, N. Grealish, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, Sen. J. McDonagh, Cllrs. T. McHugh, M. Mullins, C. Ni Fhatharta, P. O'Foighil, S. O'Neachtain, P. O'Sullivan, K. Quinn, T. Rabbitt, M. Regan, S. Walsh & T. Walsh.

Oifigigh: Messrs. D. O'Donoghue, Co. Manager, D. Nelson, J. Tierney, Asst. Co. Managers, T. Kavanagh, Co. Secretary, E. Lusby, Finance Officer, L. Kavanagh, & G. McCarthy, S.E.E.'s, J. Colleran, Co. Engineer, M. Jordan, S.O., A. Whelan, C.O., & C. Mac Aodh Bhui, Oifigeach Gaeilge

**Thosnaigh an crinniu leis an paidir.**

The Chairman requested that the meeting finish at 4.45 p.m. for the Blessing of the Children's Burial Ground in the Lower Yard and the Mass would commence at 5.00 p.m. for current, retired and deceased Members and Staff.

**RESOLUTION OF SYMPATHY**

354

A Resolution of Sympathy was passed with the following:-

Mr. Michael Moylan, Rathcosgrove, Ardrahan, Co. Galway  
Mr. & Mrs. Jarlath Geoghegan, Ardrahan, Co. Galway  
Mr. Jack Higgins & Family, Cregclare, Ardrahan, Co. Galway  
Mr. John Joe Kelly, Stoolpark, Glenamaddy, Co. Galway  
Mrs. Ann Tighe, Ballincurry, Glinsk, Co. Galway.

Minutes of Special Meeting held on 10<sup>th</sup> December 1999 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Callanan, seconded by Deputy Connaughton.

**REPORTS OF COMMITTEE MEETINGS**

**356**

The Report of Finance Committee Meeting held on 12<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Fahy, seconded by Councillor Cunningham.

The Report of the Connemara Area Meeting held on 15<sup>th</sup> November, 1999 was considered. It was adopted by the Council on the proposal of Councillor Conneely, seconded by An Comhairleoir Ni Fhatharta.

The Report of the Connemara Area Meeting held on 29<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor Conneely.

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

**357**

**1. Construction of extension to house at Ruffield, Clonbur, Co. Galway**

On the proposal of An Comhairleoir Ni Fhatharta, seconded by Councillor Callanan the Council approved the construction of extension to house at Ruffield, Clonbur, Co. Galway.

**2. Construction of 6 no. houses with services at Gort, Co. Galway**

On the proposal of Councillor Cunningham, seconded by Councillor Fahy the Council approved the construction of 6 no. houses with services at Gort, Co. Galway.

**3. Construction of 4 no. houses with services at Kilcornan, Clarinbridge, Co. Galway**

On the proposal of Councillor Quinn, seconded by Senator J. McDonagh, the Council approved the construction of 4 no. houses with services at Kilcornan, Clarinbridge, Co. Galway.

**4. Construction of 2 no. houses with services at Glenamaddy, Co. Galway**

On the proposal of Councillor Quinn, seconded by Councillor T. Walsh, the Council approved the construction of 2 no. houses with services at Glenamaddy, Co. Galway.

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**MATERIAL CONTRAVENTION OF DEVELOPMENT 358**  
**PLAN FOR THE SCHEDULED TOWN OF LOUGHREA**  
**& ENVIRONS IN TOWNLAND OF CUSCARRICK**  
**PLANNING REF: 98/4597 APPLICANT: MS. RITA BAYLISS**

Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following report dated 20<sup>th</sup> January 2000 which had been circulated to the Members:-

**“APPLICANT:** Ms Rita Bayliss

**PROPOSED DEVELOPMENT:** Permission to construct three dwellinghouses and associated services in the townland of Cuscarrick

**LOCATION:** The site is located at the Western end of Loughrea Town between old Galway Road and the Loughrea/Gort N.66

**ASSESSMENT:** The site is to the rear of the existing ribbon of housing development which runs along both the Gort Road and the Old Galway Road. It commands a fine view Southwards over the lake. The adjacent lands were zoned agricultural and were undeveloped until recent years when development pressures and demand for housing resulted in small housing estates being permitted as contraventions to the County Development Plan on contiguous lands.

This proposed development will adjoin a small estate but will have its independent road access and will not generate any additional traffic through any other estate. Water and sewerage services adjoin the site. Surface water will be drained to soakpits which are designed to hold a reasonable intensity of rainfall.

The house types are single storey, four bedroom bungalow types which will not adversely affect the amenities of adjacent houses. Site density is approx. 3 houses per acre.

**ZONING: :** The land is presently zoned for Agricultural Development in the Loughrea Town Plan and for Residential Development in the Draft Plan for Loughrea Town

**RECOMMENDATION:** A grant of permission is recommended, subject to the normal conditions for housing estates.

**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.

**PROPOSED DEVELOPMENT:** Outline permission for forty five no. serviced

**Monthly Meeting – 24/01/2000**

Public notice of the Council's intention to consider deciding to grant permission was given on 9th December, 1999 and the notice invited members of the public to submit representations or objections. No submissions were 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 03/02/2000."

Deputy U. Burke proposed that having considered the Planning Application made by Ms. Rita Bayliss, for planning permission to construct 3 dwellinghouses and associated services, planning reference no. 98/4597, and having considered the Report dated 20<sup>th</sup> January, 2000, 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 M. Loughnane seconded this proposal. A vote was then taken which resulted as follows:-

**AR SON:** Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. M. Connolly, J. Conneely, M. Cunningham, M. Fahy, M. Hoade, P. Hynes, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, Senator J. McDonagh, Cllrs. P. McHugh, T. McHugh, M. Mullins, C. Ni Fhatharta, S. O'Neachtain, K. Quinn, M. Regan & T. Walsh (23)

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

The Chairman declared the resolution carried.

**MATERIAL CONTRAVENTION OF DEVELOPMENT 359  
PLAN FOR THE SCHEDULED TOWN OF LOUGHREA  
& ENVIRONS IN TOWNLAND OF CAHERONAUN  
PLANNING REF: 99/1201 APPLICANT: MR. JOHN QUINN**

Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following Report dated 20<sup>th</sup> January 2000, which had been circulated to the Members:-

**"APPLICANT:** Mr John Quinn

**PROPOSED DEVELOPMENT:** Outline permission for forty five no. serviced

**Monthly Meeting – 24/01/2000**

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*If a resolution is passed requiring dwellings including full permission for roads and services at Caheronaun, Loughrea*

**LOCATION:** The site is north east of the Town Centre of Loughrea approx. 600 metres along the Danesfort Road.

**PREVIOUS HISTORY:** No relevant History

**ASSESSMENT:** The area is approx. 5.5 acres and it is proposed to construct 45 houses on the lands, being a mixture of detached and semi-detached arranged around a triangular shaped "green" area. The layout and road access were revised following a request for Further Information. This has been agreed by the Roads Design Section. Revised details of water supply and drainage were also submitted. Housing density is approx. 8 per acre which is in the normal acceptable range. The roadway leading to the site from the N6 and passing Caheronaun Park is proposed to be realigned and upgraded so as to satisfactorily accommodate the traffic which will be generated by the more extended residential developments which are being constructed at present and which are envisaged within the lifetime of the new plan. The cost of this reconstruction is being apportioned among the various developments along the road and it is proposed to be levied on this development also.

**ZONING:** The site is presently zoned for agricultural use in the Loughrea Town Plan but is proposed to be zoned for residential use in the new Town Plan which is presently being processed in Draft Form.

**OBJECTIONS/OBSERVATION:** There was one observation received from a local person who while not specifically objecting to the proposed development requests that the wall opposite his property be faced in stone and that no house accesses be allowed onto the boreen facing his site. These matters can be considered when conditions are being applied.

**DENSITY:** Housing density is approx. 8 houses per acre.

**RECOMMENDATION:** A grant of Permission for the services and Outline Permission for the houses subject to the normal conditions for housing estates and additional contribution for improvement to the Danesfort Road.

**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 17<sup>th</sup> December, 1999 and the notice invited members of the public to submit representations or objections. No submissions were 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 16<sup>th</sup> February, 2000.”*

*Councillor M. Regan proposed that having considered the Planning Application made by John Quinn, for outline permission for 45 no. serviced dwellings including full permission for roads and services, planning reference no. 99/1201, and having considered the Report dated 20<sup>th</sup> January, 2000, 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 outline permission be made in the case of this application. Councillor P. Hynes seconded this proposal. A vote was then taken which resulted as follows:-*

**AR SON:**

*Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. M. Connolly, J. Conneely, M. Cunningham, M. Fahy, N. Grealish, M. Hoade, P. Hynes, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, Senator J. McDonagh, Cllrs. P. McHugh, T. McHugh, M. Mullins, C. Ni Fhatharta, S. O’Neachtain, K. Quinn, M. Regan & T. Walsh (24)*

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

*The Chairman declared the resolution carried.*

**SALE OF LAND AND BUILDING AT ORANMORE 360**

*On the proposal of Senator McDonagh, seconded by Councillor Grealish the Council approved the sale of land comprising 0.9 acres approximately together with the building thereon at Oranmore, Co. Galway to Respond! Housing Association, Airmount, Dominick Place, Waterford in accordance with Notice dated 12<sup>th</sup> January 2000 under Section 83 of the Local Government Act 1946 and in accordance with Section 88 of the Housing Act 1966, a copy of which had been circulated to Members.*

**AUDITOR’S REPORT FOR LOUGH CORRIB 361**  
**NAVIGATION TRUSTEES FOR YEAR ENDED 31/12/1998**

*On the proposal of Senator McDonagh, seconded by Councillor Grealish the Auditor’s Report for the year ended 31/12/1998 for Lough Corrib Navigation Trustees was noted.*

**DECLARATION OF ROAD TO BE PUBLIC ROAD**

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*On the proposal of Councillor Regan, seconded by Deputy Burke, the Members approved the declaration of the following road to be a public road, the statutory procedures having been complied with:-*

*Road commencing at junction with Regional Road 351 and extending north east for a distance of 170 metres in the Townland of Earlsparck, Loughrea.*

**REPORT ON RESIDENTIAL DENSITY GUIDELINES  
FOR PLANNING AUTHORITIES**

363

*Mr. G. McCarthy, S.P. outlined the details of Report on Residential Density Guidelines set out in the following Report dated 7<sup>th</sup> December, 1999, which had been circulated to the Members.*

*“This report sets out in summary form (1) the background to the Residential Density Guidelines and (2) recommendations for incorporation of these Guidelines into Town and County Development Plans in a manner appropriate to circumstances in Galway County. The revised standards are being incorporated into all Draft Towns Plans and must be incorporated into the County Development Plan by the end of September 2000.*

**Context**

- I. Why the need for considering higher residential densities:*
- *relatively cheap cost of land in the past and rising car ownership has resulted in extensive suburban development at relatively low densities giving rise to increasing traffic congestion;*
  - *low densities have significant implications for energy consumption in the long term and do not facilitate the use of public transport;*
  - *household sizes are falling (from 3.54 persons in 1986 to 3.14 in 1996) while population growth is continuing which has implications for the scale and type of future housing stock;*
  - *increasing land prices and servicing costs requires the use of residential zoned land to its maximum potential.*

*The principal benefits of increased residential density are seen as:*

- *more economic use of existing infrastructure and serviced land,*
- *a reduced need for the development of ‘greenfield’ sites, urban sprawl and ribbon development,*

- reduced need for investment in new infrastructure,
- better access to existing services and facilities, and
- more sustainable commuting patterns.

**RECOMMENDATIONS:**

**2. Role of Densities**

Density comes into play at two stages in the planning process:

- (i) estimating land requirements for new housing development arising from population forecasts (i.e. gross density).
- (ii) determining the appropriate number of residential units on a particular site at planning application stage (i.e. net site density).

Methods of controlling residential densities

These fall into two principal categories:

- dwellings per acre/hectare
- plot ratio (i.e. total floor space over total site area).

Dwellings per acre/hectare is the most appropriate method for estimating land requirements based on population projections in preparing a development plan. This approach is not effective in controlling the form of development on a site – plot ratio is more effective in this situation.

**Development Standards**

Maximum density limits such as plot ratio help to guide designers, developers and development control planners and also help to avoid excesses in the absence of other standards. However, on their own such maximum density limits are crude tools which have little control over the quality of the environment achieved. A low density limit could result in a poor quality living environment while a high density limit could result in a high quality living environment.

The most effective method of controlling densities while at the same time achieving a high quality living environment is the use of maximum density limits (i.e. plot ratio) with other standards relating to:

- public open space;
- private open space;
- privacy/overlooking/overshadowing;
- car parking/roads;
- design and layout.



## Recommended Standards

### Plot Ratio

Plot ratio expresses the total amount of floor space in relation (proportionally) to the site area. The following plot ratios are recommended for new development plans:

- |             |   |   |
|-------------|---|---|
| Town Centre | - | plot ratio 1.5;                                       |
| Suburban    | - | plot ratio 0.34. (i.e. 15,000 ft <sup>2</sup> /acre). |

### Site Coverage

Site coverage is a control for the purposes of preventing the adverse affects of overdevelopment. The site coverage index is determined by dividing the total area of ground covered by buildings by the total ground area within the curtilage of the buildings excluding any land lying between the building line and the public street. Site coverage is only directly relevant in town centre locations. In such cases a range of between 70% and 80% is considered appropriate.

### Public Open Space

Public open space is one of the key elements in defining the quality of the residential environment. It provides passive as well as active amenity and has important ecological and environmental aspects.

The recommended quantitative standard for public open space is:

- |                           |   |                                 |
|---------------------------|---|---------------------------------|
| Greenfield/suburban sites | - | Minimum 15% of total site area; |
| Other cases               | - | Minimum 10% of total site area. |

However, the provision of public open space in town centre infill sites may not be possible or appropriate and in such circumstances a contribution is recommended in lieu of such provision.

### Private Open Space

Privacy is an essential part of the quality of a residential environment. The provision of an adequate sized external space which is free from undue observation (i.e. usually a back garden) is a fundamental part of residential amenity. Houses (terraced, semi-detached, detached) should provide the private open space behind the building line.

In the case of apartment type developments private open space will be provided in the form of landscaped areas, courtyards, terraces/patios, balconies and possibly roof gardens.

Recommended standards are as follows:

- |        |   |  |
|--------|---|--|
| Houses | - | space equivalent to ½ of the gross floor area but not less than 50m <sup>2</sup> |
|--------|---|--|

**Apartments**

- Town Centre - 10m<sup>2</sup> min. per 1 bed apartment.
- 15m<sup>2</sup> min. per 2 or 3 bed apartment.
- Suburbs - 20m<sup>2</sup> min. per 1 bed apartment.
- 30m<sup>2</sup> min. per 2 or 3 bed apartment.

**Overlooking/Overshadowing**

The private open spaces around dwellings should enjoy freedom from undue observation by others and no undue loss of light should result from overshadowing from adjoining higher buildings.

In general 22m distance between opposing first floor windows will be the norm in residential developments. While overlooking is a function of a desire to create privacy it does not necessarily follow that all opposing windows need to be 22m apart. Windows serving halls and landings do not need the same degree of privacy as say balconies and living rooms. On the other hand the provision of living rooms and balconies on upper floors can cause significant loss of amenity to adjoining dwellings if they are located too close to site boundaries and in such cases a separation of 35m or greater may be necessary.

**Car Parking and Road Standards**

Traditionally development plans included objectives in relation to road design and on site car-parking which in many cases led to rigid housing layout where the car is dominant and long straight roads encourage speeds in excess of maximum limits. Objectives relating to the use of shared surfaces, traffic calming and grouped parking is a more appropriate approach. Grouped parking provides flexibility and a more efficient use of land.

**Recommended car-parking standards are as follows:**

**Suburbs**

- All on site - 2 spaces/dwelling unit for units of 2 bedrooms & upwards;
- 1 space/dwelling unit for one bedroom unit.
- Grouped Parking - 1.5 spaces/dwelling unit.

In the case of dwellings in excess of 240m<sup>2</sup> floor area 3 off street car parking spaces per unit may be required. The provision of onsite car-parking in town centre locations may not be possible or appropriate and in such cases a contribution is recommended in lieu of such provision.

Design and Layout

Galway County Council in dealing with proposals for residential development is primarily concerned with the provision and protection of residential amenities and hence will require a high standard of design and layout in residential areas and in the buildings themselves. A diversity in the form of buildings and in the size and type of dwellings may be required in larger schemes. In environmentally sensitive areas, in wooded areas and close to the transition from residential to amenity and agricultural zones restrictions may be placed on residential densities in the interests of protecting the amenities of these areas. Permission may be refused for developments not reaching an adequate standard.”

Mr. G. McCarthy, S.P. Planning, stated that the Draft Town Plans were prepared in advance of the guidelines but are substantially in compliance with them and only minor changes need to be made to meet the guidelines. He stated that meetings were held with a number of developers with the aim of improving design and a number of schemes had been selected as pilot schemes in relation to design, layout and density. He added that higher density is dependant on quality of design and that an Awards Scheme in conjunction with C.I.F. is being considered, for schemes that achieve a high standard.

Deputy P. Connaughton stated that the Report was an important one and that it was now beyond the reach of many young couples to buy a house but added that higher buildings and higher densities were not the answer. He stated that too many people in one area can lead to social problems and it was necessary to provide adequate open space.

Councillor M. Regan stated that he welcomed the report and said there was a huge demand for housing. He stated that the quality of houses being built is diminishing and quality type housing and open space were important issues.

Councillor J. McClearn stated that the guidelines would bring further difficulties into place in the planning control process. Design, layout and quality issues would lead to different planners having different criteria and he would not support complicating the planning process further.

Councillor J. Burke stated that it was necessary to have guidelines that the ordinary person can understand and asked what were the acceptable increased densities and what were the Council's recommendations regarding same. He added that green areas need to be maintained and that Development Plans should state their specific use.

Councillor T. McHugh stated that he welcomed the Report and that more people were looking for affordable housing and a mix of housing was required to cater for demands.

Councillor M. Cunningham stated that he welcomed the Report and asked what square footage would now be required for housing.

Deputy U. Burke stated that the Report was both good and bad and that the guidelines were introduced to reduce the cost of housing but he could not see how this was going to happen. He stated that a variety of housing was welcome and the opportunity would be provided to bring back life into urban areas. He asked if the question of open space would be tackled.

Councillor T. Walsh stated that green areas were important and also the provision of playgrounds.

Councillor P. Hynes stated that the provision of green areas in the past was totally inadequate and that he hoped that this would change for both public and private housing estates.

Councillor M. Mullins stated that he welcomed the Report but was skeptical as to whether it would alleviate housing problems by providing housing at a more affordable price. He stated that design and layout were important issues and that developers should clearly state what open space will be available and specify usage and maintenance of the open space.

Councillor S. Gavin stated that higher densities cannot always work in rural settings and that it was an aim of the County Development Plan to promote traditional house design in rural area.

Mr. G. McCarthy, S.P. stated that the cost of building land is going up and the cost of servicing land. He stated that the County Development Plan allows for 10 houses per acre but that this density was not being achieved. Average densities of 6 houses per acre were being achieved. He stated that low density will not necessarily give a good quality environment and the important issue is quality of the design and layout and open space. He added that the maintenance of open space was an important issue and that the responsibility falls on the Local Authority or Management Company. He stated that the Council's approach in relation to densities is based on D.O.E. guidelines and that there was now a demand for different types of housing units. He added that pilot schemes will incorporate a mix of designs and sizes i.e. small, medium and large units and that developers feel that they can market these developments. He stated that the density being proposed by Galway County Council is 15,000 ft<sup>2</sup>/per acre but other requirements such as, private open space, public open space, carparking etc. would also have to be met and that the density standards do provide for town and village centres where higher densities are appropriate.

The County Manager stated that the annual seminar for planning agents would be held within the next 2 months and that this issue would be an important item on the agenda.

**LOCAL AUTHORITY HOUSING PROGRAMME**

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Mr. Tierney, Assistant County Manager referred to Report dated 19<sup>th</sup> January 2000 which had been circulated to each Member. He said that the Four Year Multi Annual Local Authority and Social Housing Programme already approved by the Council was based on an allocation of 125 houses per annum or 500 houses over the four year period. On the 25<sup>th</sup> November 1999, the Council was advised that the four year allocation had been increased to 548 houses or 137 houses per annum. In the revised Programme, he said that the Council would accelerate the Programme for the year 2000 bringing it up to 155 houses. He said that the revised Programme for the remainder of the period 2001-2003 would be brought before the Members at the March Meeting of the Council. The Members welcomed the increased allocation.

**FIVE YEAR TRAVELLER ACCOMMODATION PROGRAMME 2000-2004**

365

Report dated 23<sup>rd</sup> December 1999 regarding the Five Year Traveller Accommodation Programme 2000-2004 was submitted. The Report dealt with the submissions received following the publication of the Draft Programme and the Council's response to the submissions.

The Cathaoirleach said that the Local Traveller Accommodation Committee had considered the submissions at a Meeting of the Committee that morning and had recommended the adoption of the Programme subject to an amendment that Clontuskert be amended to read Clontuskert and District.

It was proposed by Cllr J. Burke, seconded by Cllr M. Cunningham and resolved that having considered the submissions made in relation to the Draft Five Year Traveller Accommodation Programme 2000-2004, the Council hereby decide to adopt the Draft Scheme subject to the amendment that in Appendix 3 and 4, Clontuskert should read Clontuskert and District.

**CONFERENCES**

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On the proposal of Councillor Fahy, seconded by Councillor Callanan, it was agreed that the attendance of the following Members be approved at the Conferences set out hereunder, the cost of each Conference having been circulated to each Member:-

**Association of Municipal Authorities Spring Seminar 2000 – Castlebar – 11/12 February 2000**

Senator J. McDonagh                      Cllr. C. Ni Fhatharta                      Cllr. N. Grealish

**Monthly Meeting – 24/01/2000**

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**Colmcille Heritage Trust Seminar – Co. Donegal - 25/27 February 2000**

Senator J. McDonagh      Cllr. N. Grealish      Cllr. M. Fahy

**General Council of County Council's – Monaghan – 13/15 April 2000**

Senator J. McDonagh      Cllr. N. Grealish

**LAMA 2000 Annual Conference – Kilkenny – 27/28<sup>th</sup> April 2000**

Senator J. McDonagh      Cllr. C. Ni Fhatharta

**MANAGER'S BUSINESS**

**367**

**S.P.C.'s**

The County Manager stated that the Secretary was in the course of preparing a Draft SPC Scheme. He recommended that a Meeting of the Chairs Designate of the SPC's be convened to consider the Draft Scheme. When the draft scheme is approved by the Council, it would then have to be published. In reply to Deputy Connaughton he stated that some progress was being made in relation to the Industrial Relations issues effecting the SPC's.

A Meeting for the Chairs Designate of the SPC's was arranged for 11<sup>th</sup> February at 11.00 a.m.

**CHAIRMAN'S BUSINESS**

**368**

The Cathaoirleach referred to the Road Safety Plan which had been launched that day by Minister of State Robert Molloy, T.D. The plan was prepared by Galway County Council in conjunction with the Gardai, the National Safety Council and the Western Health Board. The Cathaoirleach thanked the Tuam Herald and Galway Bay F.M. for their coverage of the launch and said that it was important that road safety gets wide publicity in the county.

The County Engineer said that the launch was successful and that he was delighted to have the Minister, Councillors and members of the various bodies present.

Cllr Cunningham welcomed the Road Safety Plan and said that he rang the County Secretary the previous week re road works. He said that Contractors park machinery at night on the roadside without any warning signs. He also said that the Councils signs during the flooding were not adequate. Deputy Burke said that as a member of the W.H.B. he is aware of a lot of serious injury cases and he feels that it is necessary to have a Rehabilitation Centre in the West of Ireland. He requested that the Council support the Western Health Board's strategies in this regard.

Cllr Callanan said that he contacted the City Engineer re the Headford road roundabout. He said that the roundabout is very dangerous.

Dúirt an Comhairleoir Ó Foighil go raibh gá ann Innealtóir Mara a ceapadh go tapaidh agus cuidigh an Comhairleoir Ní Fhatharta leis. Dúirt an Innealtóir Chontae go raibh Clár oibre leagtha amach agus go gceapfaí innealtóir go luath.

Cllr McClearn said that he was awaiting a report from Ryan Hanley on the extension of the sewerage scheme to Woodpark. The main scheme is due for completion in June and the roads in Portumna are in an unacceptable state. Cllr Fahy said the Department are awaiting a report from Galway County Council and that this report should be submitted immediately. Cllr Fahy requested that the scheme should get top priority. Cllr Hynes said that there was a serious situation at present with regard to the disposal of sewerage in the Woodpark area. He said that it is a hazard to the health of the residents and he requested that the scheme be extended to facilitate the Woodpark area. Deputy P. Connaughton said that he did not understand why the scheme was not extended to Woodpark. Deputy Burke and Councillor Regan supported and said that that it was vital that the report going to the Department was positive.

Mr. Nelson, Assistant County Manager said that the Council received documentation from Ryan Hanley the previous week and it will be available at the next council meeting. It is being considered by the County Engineer at present.

The Loughrea area meeting was arranged for Monday, 7<sup>th</sup> February at 2.00 in O'Deas Hotel.

### **NOTICES OF MOTION**

#### **N.O.M. NO. 14 – DRAINAGE – CLLR. J. CONNEELY 369**

The following written reply was given to Councillor Conneely:-

“There is a flooding problem at this location which is caused by a land drain. This drain is not in charge of Galway County Council. It is a matter for the landowner to reshape it to its original drainage capacity and maintain it thereafter. However, if funding is provided by the Department of Arts, Heritage, Gaeltacht and the Islands the Council would consider carrying out the work.”

#### **N.O.M. NO. 15 – DRAINAGE WORKS – CLLR. J.J. MANNION 370**

The following written reply was given to Councillor Mannion:-

“The land drain in question is not in charge of Galway County Council. It is a matter for the landowner to re-shape it to its original drainage capacity and maintain it thereafter.”

However, if funding is provided by the Department of Arts, Heritage, Gaeltacht and the Islands the Council would consider carrying out the work."

**N.O.M. NO. 16 – PUBLIC LIGHTING – CLLR. M. FAHY 371  
CONNELY**

The following written reply was given to Councillor Conneely:-

"It is intended to provide a number of lights under the Public Lighting Programme and to augment these lights with a number of extra lights which have been funded by developers on the road."

**N.O.M. NO. 17 – CLEAN-UP – CLLR. J. CONNEELY 372**

The following written reply was given to Councillor Conneely:-

"The Council will co-operate with the local community and landowners to get the area cleaned up."

**N.O.M. NO. 18 – SPEED LIMIT – CLLR. J. CONNEELY 373**

The following written reply was given to Councillor Conneely:-

"This matter will be considered at the next Speed Limit Review"

**N.O.M. NO. 19 – PUBLIC LIGHTING – CLLR. M. 380  
CUNNINGHAM 374**

The following written reply was given to Councillor Cunningham:-

"This location will be considered when this year's Public Lighting Programme is being prepared."

**N.O.M. NO. 20 – ROAD JUNCTION – CLLR. M. 381  
CUNNINGHAM 375**

The following written reply was given to Councillor Cunningham:-

"This matter will be examined by the Road Design Team."

**N.O.M. NO. 21 – TRAFFIC LIGHTS – CLLR. M. 382  
CUNNINGHAM 376**

The following written reply was given to Councillor Cunningham:-



**Monthly Meeting – 24/01/2000**

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*“A traffic census will be carried out to establish if the location meets the warrant for traffic lights.”*

**N.O.M. NO. 22 – PUBLIC LIGHTING – CLLR M. FAHY 377**

*The following written reply was given to Councillor Fahy:-*

*“This location will be considered when this year’s public lighting programme is being compiled.”*

**N.O.M. NO. 23 – PUBLIC LIGHTING – CLLR. M. FAHY 378**

*The following written reply was given to Councillor Fahy:-*

*“It is not proposed to erect a public light at this location. Priority has to be given to the more built-up areas and funding for public lighting is limited.”*

**N.O.M. NO. 24 – PUBLIC LIGHTING – CLLR. M. FAHY 379**

*The following written reply was given to Councillor Fahy:-*

*“The standard school flashing lights are in place. This location will be considered when the public lighting programme for this year is being compiled.”*

**N.O.M. NO. 25 – ROAD – CLLR. S. GAVIN 380**

*The following written reply was given to Councillor Gavin:-*

*“The roads and footpaths are in the process of being taken in charge. Wayleaves for sewers are being pursued and when these are obtained the sewers will be taken in charge.”*

**N.O.M. NO. 26 – ROAD REPAIRS – CLLR. S. GAVIN 381**

*The following written reply was given to Councillor Gavin:-*

*“The Ross Demesne road is being repaired. The flooding is a matter to be resolved between private individuals and is being attended to. Maintenance work is being carried out on the Home Farm-Leegaun road.”*

**N.O.M. NO. 27 – FLOODING – CLLR. S. GAVIN 382**

*The following written reply was given to Councillor Gavin:-*

*“This matter will be examined.”*

**N.O.M. 28 – HOUSE REPAIRS – CLLR. P. HYNES 383**

The following written reply was given to Councillor Hynes:-

“It is intended that repair work to the house of Delia Duggan, Lagoo, Moyglass, Loughrea will be carried out in approximately five weeks time. Repairs will be to windows, external doors, fascia, gutters and plastering including metal lathe.”

**N.O.M. NO. 29 – ROAD IMPROVEMENTS – CLLR. P. HYNES 384**

The following written reply was given to Councillor Hynes:-

“These bends are similar to many others on local roads throughout the County. It would cost approximately £15,000 to £20,000 each to remove them and there are no funds available at present for this work.”

**N.O.M. NO. 30 – ROADS – CLLR. P. HYNES 385**

The following written reply was given to Councillor Hynes:-

“The statutory procedure for taking this road in charge will be put in motion shortly.”

**N.O.M. NO. 31 – ROAD WIDENING – CLLR. J.J. MANNION 386**

The following written reply was given to Councillor Mannion:-

“A design will be prepared for road realignment at this location with a view to obtaining funding for same.”

**N.O.M. NO. 32 – TRAFFIC CALMING MEASURES – SEN. J. MCDONAGH 387**

The following written reply was given to Senator McDonagh:-

“This location will be considered during the preparation of the school flashing lights programme for this year.”

**N.O.M. NO. 33 – ROAD SAFETY MEASURES – SEN. J. MCDONAGH 388**

The following written reply was given to Senator McDonagh:-

**Monthly Meeting – 24/01/2000**

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*“Funding has been requested from the National Roads Authority for traffic calming measures for Clarinbridge South for this year’s programme. When this is complete funding will be sought for the junction of N18 and Athenry Road.”*

**N.O.M. NO. 34 – INTERNATIONAL WOMEN’S DAY – 389**  
**SEN. J. MCDONAGH**

*The following written reply was given to Senator McDonagh:-*

*“A resolution supporting this proposal was passed at a Meeting of the Council on 20<sup>th</sup> December 1999 and forwarded to the appropriate Minister.”*

**N.O.M. NO. 35 – CÓRAS SÉARACHAIS – AN COMH. C. 390**  
**NI FHATHARTA**

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

*“Tá an Chomhairle ar tí tosú ar na suirbhéanna séarachais ar Ghréasán Séarachais na Ceathrún Rua. Deimhneoidh na suirbhéanna seo an bhfuil uisce ag síothlú isteach sa gcóras.”*

**N.O.M. NO. 36 – BÓTHAR – AN COMH. C. NI 391**  
**FHATHARTA**

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

*“Ceaptar go bhfuil an bóthar seo sách maith agus níl géargá le obair dheisiúcháin ag an am seo.”*

**N.O.M. NO. 37 – BÓTHAR – AN COMH. C. NI 392**  
**FHATHARTA**

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

*“Tá am bóthar seo luaite ar an bPlean Cúig mBliana le haghaidh obair fheabhasacháin i mbliana 2001.”*

**N.O.M. NO. 38 – FOOTPATHS – CLLR. S. O’ 393**  
**NEACHTAIN**

*The following written reply was given to An Comhairleoir O’Neachtain:-*

*“The provision of a footpath at Furbogarve would require the setting back of 65 metres of ground including 40 metres of a lawn frontage. The estimated cost is £15,000.”*

The agreement of the landowner will also be required.”

**N.O.M. NO. 39 – CULVERT REPAIRS – AN COMH. S. 394**  
**O’NEACHTAIN**

The following written reply was given to An Comhairleoir O’ Neachtain:-

“The culverts will be inspected to establish what improvement can be made.”

**N.O.M. NO. 40 – ROAD WIDENING – AN COMH. S. 395**  
**O’NEACHTAIN**

The following written reply was given to An Comhairleoir O’Neachtain:-

“It is hoped to carry out the work at the Craft Centre as soon as it can be arranged with all the parties involved. It is not proposed to carry out road widening at Frank Kelly’s field as this is not a priority.”

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted Approved + Signed:

Paddy McHugh  
Chairman

28<sup>th</sup> February 2000  
DATE

**RESOLUTION OF SYMPATHY**

346

The Members and Manager extended their sympathy to Tom Kavanagh, County Secretary on the recent death of his Brother, to Councillor Joe Callanan on the recent death of his Mother, and to An Comhairleoir Ní Fhatharta on the recent death of her Uncle.

Resolutions of Sympathy were also passed to:

Messrs. Tom & P.J. Gill, Latoom, Cstra, Ballinasloe, Co. Galway  
Mrs. Mary McNamara, Cleaghmore, Ballinasloe, Co. Galway  
Brid Bn. Uí Fhatharta, An Bothar Bui, An Cheshru Rus, Co. na Gaillimhe

Mrs. Margaret Keaveney, Church Street, Glensmaddy, Co. Galway.

## COMHAIRLE CHONTAE NA GAILLIMHE

### MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY HALL, PROSPECT HILL, GALWAY ON FRIDAY, 14<sup>TH</sup> JANUARY, 2000

#### Cathaoirleach:

Cllr. P. McHugh

#### ILATHAIR FREISIN:

##### Baill:

Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, N. Grealish, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, J. McClean, Sen. J. McDonagh, Cllrs. T. McHugh, M. Mullins, C. Ni Fhatharta, P. O'Foighil, S. O'Neachtain, P. O'Sullivan, K. Quinn, T. Rabbitt, M. Regan, T. Mannion, S. Walsh & T. Walsh.

##### Oifigigh:-

Messrs. D. O'Donoghue, Co. Manager, D. Nelson, J. Tierney, Asst. Co. Managers, T. Kavanagh, Co. Secretary, J. Collieran, Co. Engineer, M. Jordan, S.O., A. Whelan, C.O. & C. Mac Aodh Bhui, Oifigeach Gaeilge

**Thosnaigh an crinniu leis an paidir.**

#### **RESOLUTION OF SYMPATHY**

346

The Members and Manager extended their sympathy to Tom Kavanagh, County Secretary on the recent death of his Brother, to Councillor Joe Callanan on the recent death of his Mother, and to An Comhairleoir Ni Fhatharta on the recent death of her Uncle.

Resolutions of Sympathy were also passed to:

Messrs. Tom & P.J. Gill, Latoom, Caltra, Ballinasloe, Co. Galway  
Mrs. Mary McNamara, Cleaghmore, Ballinasloe, Co. Galway  
Brid Bn. Uí Fhlatharta, An Bothar Bui, An Cheathru Rua, Co. na Gaillimhe

Mrs. Margaret Keaveney, Church Street, Glenamaddy, Co. Galway.

The Cathaoirleach said that if the Council agreed, he would allow some matters to be raised at this point.

## FLOODING

347

Cllr Fahy requested special funding for Road Works due to severe damage caused by flooding recently. He proposed that the Council seek Special funding of £1M to restore the roads in South Galway and that if necessary a deputation go to the Minister. This was seconded by Cllr. Regan. Deputy Burke complimented Galway County Councils Emergency Staff. He said that the watercourses were not maintained and this causes the water to lodge on the roads. He said the Council needs to investigate the quality of materials being used on the roads. Cllr Loughnane said that if the roads are impassable the Council should have signs to that effect. He also said that the issue of planning has to be addressed as houses were built where maps show that the area was liable to flooding. Cllr Hynes said that he visited South Galway and the situation there was very serious. He wrote to the Council about the situation and was told that it was a matter for the O.P.W. He also said that Funding for Roads was inadequate to deal with the problem. Cllr McClearn said that it was hoped that the problem of 1995 would not reoccur but it had. He said that South Galway should get a special allocation.

The County Manager said that Galway County Council has been working on this problem since 1994/95. Many roads have been raised. He explained that the Council Staff responded as quickly as possible over the Christmas period. He also explained that a Steering Committee was being established to bring forward proposals for flood alleviation measures in the context of the £2.5M, which was made available by the Government. This Committee is chaired by an official from the Office of Public Works and also represented on it will be Galway County Council, Duchas, the I.F.A. and the I.C.M.S.A. The Council's representative will be Mr John Colleran, County Engineer.

Cllr. Callanan said that there was also serious flooding in Kilconnell over the Christmas. He said that there was a serious problem with the sewerage in the area during the flooding and that a sewerage scheme was needed in Kilconnell as a matter of urgency. He explained that there is a danger that the sewerage will enter the water supply. Cllr Mullins thanked the Manager for his courtesy in visiting the area and also Eugene Cummins.

The Manager thanked Cllr Callanan and Cllr Mullins and said that it was appropriate that people should have support in these situations. He also thanked Eugene Cummins and the Council Staff for their response to the flooding and explained that Galway County Council is customer focused. Cllr T. Walsh said that the severe weather conditions were causing major road problems and pot-holes.

Cllr T. Walsh said that he would like the Council to support the Farmers in their protest on the meat prices. Deputy Burke agreed.

Senator McDonagh said that the flooding in Coolarne left eight families marooned over the Christmas. He said that the situation has to be remedied. Cllr O'Neachtain said that heavy dumpers, which were not licensed were causing problems on the roads. Cllr J. Burke asked if the Council could reallocate the budget for road restoration to address the problems of potholes. Cllr S. Walsh said that it is necessary to address the problem of the sewerage system in Oughterard. He said that there was a danger of polluting Lough Corrib if something is not done. He said that he realises that there is no money available but that the Council should apply for funding from Europe for this project. Cllr M. Connolly said that there is serious flooding at Horse Leap Cross and Lissavalley on the road to Bearnadearg.

Cllr Callanan asked who was responsible for the maintenance of rivers. The County Manager suggested that Area Meetings should be held as soon as possible and that the allocations from the N.R.A. and the Department of Environment should be available shortly.

Mr. Killeen, A/Deputy County Engineer said with regard to potholes the Council follows the highest standards when repairing and resurfacing the roads. With regard to drains he said that there was a time when the Council maintained drains on a regular basis but in recent times drains in mountainous areas are prioritised. As regards heavy dumpers, he said these were a cause of concern and that it was also difficult to prove responsibility for damage caused.

Cllr J. Burke said that Mr. Killeen's reply was not adequate. He said extra money must be spent on roads and that action has to be taken to alleviate the problem. He asked if money could be reallocated for disaster areas. Mr. Killeen said that he will examine the budget for 2000 and will use discretion where possible. Cllr M Connolly said that he was not happy with Mr. Killeen's reply and felt if the water was not allowed to lodge on the roads the problems would not occur.

## AREA MEETINGS

348

Times were set as follows for Area Meetings:-

- Tuam - Friday 28<sup>th</sup> January, at 11.00 a.m.
- Oranmore – Friday 21<sup>st</sup> January, at 3.30 p.m.
- Connemara – Friday 4<sup>th</sup> February at 3.30 p.m.
- Ballinasloe – Thursday 20<sup>th</sup> January at 3.30 p.m.

Cllr. Josie Conneely read and proposed a motion relating to the extradition of Angelo Fuscio which was seconded by Councillor Hynes.

Cllr J. J. Mannion said that he felt that such a motion was improper interference with the Court system and asked the Cathaoirleach if it was proper to accept such a motion.

Following an adjournment the Cathaoirleach said he was not allowing the motion.

## WASTE TRANSFER STATION

349

Cllr T. Rabbitt said that he wanted to express his disgust with Galway County Council at the granting of Planning Permission for a Waste Transfer Station in Oranmore. He said that the decision was given at 3.25 p.m. on the day that the Council was closing for the Christmas Holidays. He said that the people of Oranmore will not accept this decision especially as the Draft Waste Plan has not been adopted. He said there was no democratic process and the planning application was disgracefully handled by the Council. The County Manager said that he resented the way Cllr Rabbitt had cast a slur on the Staff of the Planning Office and he said that no section works harder than the Planning Section. He explained that the decision was due on the 31st of December and it was dealt with on the 23<sup>rd</sup> December together with 45 other applications. He said the development accorded with Government policy and the Health Board had dealt with the matter and had no objection to it. There was no system as transparent and there was nothing underhand done.

Cllr Rabbitt said that he wished to apologise to the Manager if he felt that way about it but that the application could have been handled better.

## LOCAL GOVERNMENT (PLANNING & DEVELOPMENT ) BILL 1999

350

A copy of Explanatory Memorandum and Report on the Bill was circulated to Members for consideration and a presentation on the Bill was made by Mr. Eddie Power, Administrative Officer. He outlined the main provisions of the proposed legislation which consolidated all existing Planning Acts and Regulations.

In the presentation Mr. Power referred in particular to:-

- Development Plan – new procedure for preparation and adoption and 6 year life of Plan.
- Local Area Plans – for towns with a population greater than 1,500.
- Regional Planning Guidelines – A 12 year strategic planning framework to be prepared by Regional Authorities.
- Environmental Impact Assessment – required for certain planning applications.
- Strategic Environmental Assessment – information to be provided on the likely significant effects on the environment of policies, plans and programmes.
- Strategic Development Zones – Schemes for designated sites prepared by State Development Agencies and adopted by Planning Authority following public consultation.
- Revised time limits within which Planning Authorities must make decisions on planning applications.
- Housing Strategy – measures to address housing needs of existing and future population.



- Housing Supply – A specified percentage, not more than 20% of land zoned for residential use or for a mixture of residential and other uses, to be reserved for local and affordable housing.
- Pre-planning consultation
- De-exemption of afforestation and peat extraction.

It was also stated that the Bill made provision for An Bord Pleanala, Amenities Compensation, Enforcement and Financial matters including planning fees.

In the discussion which followed, the Members gave a general welcome to the Bill. The main focus of the discussion centred on the following matters:-

1. De-exemption of peat extraction and afforestation. The proposed changes in relation to these activities were discussed and particular concern was expressed by Members about the proposal that peat extraction would require planning permission. Such a requirement would result in a major imposition on people in rural areas in the West of Ireland who have traditionally harvested peat from their local bogs.
2. Role of An Bord Pleanala - It was noted that An Bord Pleanala is restricted to considering the proper planning and development of an area when deciding on Appeals, but An Bord is not bound by the terms of the County Development Plan. As the Development Plan is adopted by the democratically elected Members of a Planning Authority following adherence to a full public consultation process, the Members were of the opinion that An Bord Pleanala should be bound by the terms of the County Development Plan except in the most exceptional circumstances.  
  
It was also considered by the Members that An Bord Pleanala should be required to set out the rationale for its decisions in cases where the recommendation of An Bord Pleanala's technical advisors are not being accepted.
3. Planning Fees – It was noted under the Bill the Minister may require fees to be charged for the making of submissions or observations on Planning Applications. The Members felt that Councillors should be exempt from any such provision and that no fee should apply to any Councillor making a submission or observation on a planning application.
4. Regional Planning Guidelines – It was noted by the Members that the special linguistic and cultural needs of the Gaeltacht must be considered when preparing planning guidelines. It was the opinion of the Members that Udaras na Gealtachta should be consulted in relation to these special cultural and linguist needs as an Udaras is well placed to assist in such matters.

The Chairman noted that it was unanimously agreed that the Council would write to the Department of Environment and Local Government to highlight the concerns of Members in relation to the Bill and to seek amendments to the proposed legislation.

**ENUREMENT CLAUSES IN PLANNING PERMISSION 351**

A Report dated 20<sup>th</sup> September, 1999, and a copy of Section 38 of the Local Government (Planning & Development) Act 1963 together with copy of legal agreement were circulated to Members for consideration.

Councillor P. O’Foighil referred to difficulties being encountered by people in cases where planning permissions are granted subject to a condition restricting the use of the proposed dwelling to the applicant, members of his family and his/her heirs and executors. He quoted a number of cases where the enurement clause was causing difficulties in relation to re-sale, renting and the mortgaging of the property. He also informed the meeting of legal advice obtained wherein Senior Counsel held the opinion that restrictions in the use of the property to particular class of person may be unconstitutional. In these circumstances he queried if it was possible for the Councillors to seek a judicial review of the matter. He also raised the matter of liability to pay the legal costs associated with any such action. Councillor P. Hynes expressed the view that the clause was unconstitutional and should therefore no longer be imposed on planning permissions. Councillor S. O’Neachtain held the opinion that genuine applicants did not have any difficulty with the imposition of enurement clauses. He noted the restrictions in the County Development Plan in relation to rural housing and he stated that people with an established need for housing in a particular area would not get planning permission at all if the limitations on use provided for in the enurement clause, were not imposed as a condition of the planning permission. Councillor C. Ni Fhatharta also stated that the clause was acceptable to many applicants who were genuine. However, she noted that the enurement clause was not always included in permissions and this situation should not occur. Senator J. McDonagh stated that the Council should be more lenient in cases where people have to sell their houses because they are moving away from the particular locality. Councillor J.J. Mannion proposed that the enurement clause be reviewed as he had certain reservations about the wording. He felt that the imposition of the clause should result in local Connemara people being able to get permission more easily. He felt that Connemara people should have a superior right to permission over and above other applicants. The Clause was too absolute and perhaps there should be a time limit on it. Councillor S. Walsh also proposed that the wording of the clause be changed and he suggested the inclusion of the words “first occupied” in any amended clause. He also stated that the clause should be imposed on a uniform basis.

In response to the debate, the County Manager pointed out that the policy of the County Development Plan was to give locals the entitlement to planning permission. He also indicated that where genuine difficulties arose a person’s particular problems have been considered and taken into account by the Council and enurement clauses have been removed. He also advised the meeting that the Council could not initiate a judicial review itself. He informed Members that a review of the County Development Plan would commence in the near future and the Council’s policy on rural housing would be considered further as part of the Development Plan process.

Mr. L. Kavanagh, S.E.E. Planning, advised the Members that restrictions on development generally apply in accordance with Chapter 8 of the County Development Plan. He said that he was not aware of any legal challenge to Section

38 of the Local Government (Planning & Development) Act 1963. However, he advised the meeting that a judicial review may result in the courts rejecting the Council's policy of favouring locals. He also stated that the Council acted fairly where job/employment or changes in marital circumstances necessitated a review of the imposition of an enurement clause. Furthermore the Council issue "letters of comfort" to financial institutions thus avoiding any mortgage difficulties for the person building a house for which a permission with an enurement clause has been granted.

It was proposed by Councillor J.J. Mannion and seconded by Councillor S. Walsh and agreed that the wording of the enurement clause be reviewed and a report prepared for consideration by the Connemara Electoral Area Committee.

**RESIDENTIAL DENSITY GUIDELINES 352**

This item was deferred.

**MANAGERS BUSINESS 353**

The County Manager reminded the Members that the official opening of Flannery Bridge would take place on Friday 4<sup>th</sup> February, at 3.30 p.m.

The County Manager also advised members that the Annual Mass for the living, retired and deceased members and staff of the Council would be held in the Atrium of Áras an Chontae at 5.00 p.m. on the 24<sup>th</sup> January, 00. He said that Bishop McLoughlin would be celebrating the Mass and the Childrens' Burial Ground in the lower yard would be blessed beforehand.

**Renaming of Estates in Parkmore, Tuam.**

The County Secretary requested the approval of the Council to proceed to prepare a list of qualified electors for the changing of names of estates in Parkmore, Tuam. This was agreed on the proposal of Cllr J. Burke and seconded by the Cathaoirleach.

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted                      Approved + Signed:                     

                    Paddy McLoughlin                      
Chairman

28<sup>th</sup> February 2000  
DATE

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY HALL, PROSPECT HILL ON 20<sup>th</sup> DECEMBER, 1999**

CATHAOIRLEACH: *An Comhairleoir P. McHugh*

ILATHAIR FREISIN:

Baill: Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, N. Grealish, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, Sen. J. McDonagh, Cllrs. T. McHugh, M. Mullins, C. Ni Fhatharta, P. O'Foighil, S. O'Neachtain, P. O'Sullivan, K. Quinn, T. Rabbitt, M. Regan, S. Walsh & T. Walsh.

Oifigigh: Messrs. D. O'Donoghue, Co. Manager, J. Tierney, Asst. Co. Manager, T. Kavanagh, Co. Secretary, E. Lusby, Finance Officer, L. Kavanagh, & G. McCarthy, S.E.E.'s, James O'Donnell, Grad. Planner, E. Power, P. Carroll, A.O.'s, C. Kennedy & B. McDermott, S.S.O.'s, & C. Mac Aodh Bhui, Oifigeach Gaeilge

*Hugh Brady of Brady Shipman Martin.*

**Thosnaigh an crinniu leis an paidir.**

**RESOLUTION OF SYMPATHY**

**308**

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

*The Moran Family, Upper Dublin Road, Tuam, Co. Galway.  
Mrs. Therese Hoade & Family, Cahernaheena, Headford, Co. Galway.*

**MINUTES**

**309**

*Minutes of Special Meeting held on 12<sup>th</sup> November 1999 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Loughnane, seconded by Councillor Callanan.*

*Minutes of Estimates Meeting held on 15<sup>th</sup> November 1999 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Loughnane, seconded by Deputy Connaughton.*

*Minutes of Adjourned Estimates Meeting held on 29<sup>th</sup> November 1999 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Fahy, seconded by Councillor Loughnane.*

## **REPORTS OF COMMITTEE MEETINGS**

**310**

*The Report of Local Rural Water Monitoring Committee held on 7<sup>th</sup> September 1999 was considered. It was adopted by the Council on the proposal of Councillor Connolly, seconded by Councillor Regan.*

*The Report of the Local Rural Water Monitoring Committee held on 7<sup>th</sup> October 1999 was considered. It was adopted by the Council on the proposal of Councillor Cunningham, seconded by Councillor O'Foighil.*

*The Report of the Local Rural Water Monitoring Committee held on 2<sup>nd</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Connolly, seconded by Councillor O'Foighil.*

*The Report of the Ballinasloe Area Committee Meeting held on 11<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Callanan, seconded by Councillor Loughnane.*

*The Report of the Oranmore Area Committee Meeting held on 11<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Grealish, seconded by Councillor Rabbitt.*

*The Report of the Loughrea Area Committee Meeting held on 12<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Loughnane, seconded by Councillor Cunningham.*

*The Report of the Tuam Area Committee Meeting held on 12<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Deputy Connaughton, seconded by Councillor Quinn.*

*The Report of the Tuam Area Committee Meeting held on 15<sup>th</sup> November 1999 was considered. It was adopted by the Council on the proposal of Councillor Quinn, seconded by Deputy Connaughton subject to Councillor Connolly's attendance at the Meeting being included.*

*The Report of the Tuam Area Committee Meeting held on 22<sup>nd</sup> November 1999 was considered. It was adopted by the Council on the proposal of Deputy Connaughton, seconded by Councillor T. Walsh, subject to (a) the substitution of "approx. 10 acres"*

for "approx. .10 acres" in the last line of submission 16 and (b) the addition of the following in relation to submission 13A, "It was proposed by Deputy Connaughton, seconded by Councillor J. Burke and agreed that the Committee would recommend to the Council that the 23 acres of land marked 13A on map be rezoned from agriculture to residential."

**MATERIAL CONTRAVENTION OF THE DEVELOPMENT 311  
PLAN FOR SCHEDULED TOWN OF GORT AT CLOONAHAHA  
PLANNING REF: 99/3880 APPLICANT: REGCON LTD.**

Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following Report dated 15<sup>th</sup> December, 1999 which had been circulated to the Members.

**PROPOSED DEVELOPMENT:** The proposed development is for the construction of 25 no. detached and 40 no. semi-detached dwellings on a site at Cloonahaha, Gort.

**LOCATION:** The site is located along the Ennis Road N18 within the 30mph speed limit and within the Gort Town boundary.

**PLANNING HISTORY:** 99/1032 - This application for a housing development was withdrawn

**ASSESSMENT:** The subject application comprises 65 no. dwellings on a 3.8 hectare site. The site has access onto the Ennis road with most of the proposed housing located to the rear of the existing built up area along the Ennis road. Open space areas are located to the rear of the site with smaller verges and green spaces located along the access road. The development is medium density of seven houses per acre. The public sewer and watermain run along the main road. Taken in context the development is located adjoining the built up areas of Gort. The land lends itself to residential use given its prime location close to services. The density of the development is consistent with other recent developments in Gort Town and it is considered appropriate in the context of the scale of Gort.

**ZONING:** The proposed development is on lands zoned both residential and agricultural in the Gort Town Plan 1992. The draft town plan zones the whole site residential. The proposal which involves a medium density of development would contravene the agricultural zoning of the land.

**OBJECTIONS:** One objection has been received. A concerned person residing along the Ennis road to the front of the proposed site is expressing concerns with regard to overlooking of his site. It is considered that adequate back garden depths have been proposed to prevent overlooking.

**RECOMMENDATION**

*It is recommended that permission be granted to materially contravene the Gort Town Development Plan*

**STATUTORY CONSIDERATION:** *A decision to grant permission cannot be made unless a resolution is passed by the members requiring that such a decision be made in accordance with Section 26(3) of the 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 19th November 1999 and the notice invited members of the public to submit representations or objections. None were submitted.*

*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 18th January 1999."*

*Mr Kavanagh informed the meeting that the objection received had since been withdrawn.*

*Councillor M Loughnane proposed that having considered the Planning Application made by Regcon Ltd for planning permission for a housing development comprising of 25 no. detached and 40 semi-detached dwellings, roadworks, and associated services, planning reference 99/3880, and having considered the Report dated 15<sup>th</sup> December, 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 M Cunningham seconded this proposal. A vote was then taken which resulted as follows:-*

**AR SON:** *Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. M. Connolly, J. Conneely, M. Cunningham, M. Fahy, S. Gavin, N. Grealish, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, Senator J. McDonagh, Cllrs. P. McHugh, T. McHugh, M. Mullins, C. Ni Fhatharta, P. O'Foighil, S. O'Neachtain, P. O'Sullivan, K. Quinn, T. Rabbitt, M. Regan, S. Walsh & T. Walsh (29)*

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

*The Chairman declared the resolution carried.*

**CONSIDERATION OF SUBMISSIONS RECEIVED 312**  
**ON THE DRAFT DEVELOPMENT PLAN FOR THE**  
**SCHEDULED TOWN OF TUAM AND ENVIRONS**

The submissions which were already discussed at the Tuam Electoral Area Committee meetings, no. 's 1-19 inclusive were outlined by Mr. Gus McCarthy, Senior Executive Planner, as follows:-

**Mrs. Nellie Kilkelly, c/o Paul O' Grady**      **Submission Ref. Number: 1**

**LOCATION:**      Lands of 5.25 acres (2.12 hectares), at Curragh House, Curraghreen, Tuam. (No. 1 on map)

**1992 ZONING:**      Agricultural.

**REQUEST:**      Rezoning from Agricultural to Residential.

- Lands are currently subject of a planning application to be presented to the Council.
- Lands are considered to be in close proximity to the Town centre.
- Lands adjacent are served by sewerage and water.

**OBSERVATIONS / RECOMMENDATIONS**

Lands are outside of town boundary and outside of existing and proposed development zonings.

No change recommended in the zoning of these lands.

It was proposed by Deputy P. Connaughton, seconded by Councillor K. Quinn and agreed that the recommendation be accepted.

**MR. AND MRS. MARTIN CAMPBELL**      **Submission Reference Number: 2**  
**C/O PAUL O'GRADY**      **ORAL HEARING REQUEST**

**LOCATION:**      Extensive lands (63 acres or 25.52 hectares) directly to the south east of Tuam Stadium, Vicarschoroland, Tuam.

**1992 ZONING:**      Agricultural.

**REQUEST:**      Rezoning from Agricultural to Residential.



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- The Campbells may already have offered a portion of his land for sale to the Council immediately adjacent to the Tuam Cemetery.
- The Campbells are in negotiations with the Tuam Stadium authorities in relation to gaining wider access to the lands by way of a land exchange.
- Lands deemed suitable for middle cost housing.

### ORAL HEARING

In relation to the submissions received, an Oral Hearing took place on 28<sup>th</sup> September, 1999. The following information was added to these submissions.

1. Requests a rezoning from Agricultural to residential on lands marked 2A (19.49 acres or 7.89 hectares).
  2. Requests a rezoning from Agricultural to residential at lands marked 2B as a second priority (10.18 acres or 4.12 hectares)
- Rezoning request is necessary for land exchange with GAA. The Campbells' intend to provide the GAA with a 50 ft strip of land around the perimeter of Tuam Stadium in order to facilitate the stadiums potential expansion. In return the GAA will exchange lands at the south east corner of the stadium in order to provide access to the lands to the south.
  - Farm is no longer viable for agricultural purposes.

### OBSERVATIONS / RECOMMENDATIONS

Part of the lands (ie. 2A) which are the subject of this submission are located close to the town centre. While sufficient lands have been proposed in the draft plan overall to cater for a population increase of 6,000 persons, there is a need to redress the prominence of social housing in this part of the town by identifying lands for private housing development.

The rezoning of the area marked 2A on the map from Agricultural to Residential is recommended.

It was proposed by Councillor J. Burke, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.

### OBSERVATIONS / RECOMMENDATIONS

The provision of green spaces / squares is envisaged as part of the development of the Shambles and Abbey Trinity sub areas under the LAP. The development of further urban amenity spaces in the town centre can be included as an objective in the draft plan.

**CAROLINE REDDINGTON,** Submission Reference Number: 3  
**CONNAUGHT ELECTRONICS LTD.**

**LOCATION:** *Roadside stretching from Parkview Drive to the entrance of the IDA Industrial Estate, Dunmore road, Tuam.*

**REQUEST:** *It should be an objective of the plan to construct a footpath from Parkview Drive up to the entrance of the IDA Industrial Estate.*

- *The requested footpath is necessary from a safety point of view.*
- *Employees, visitors and residents of Parkview, use this stretch of road with no pedestrian facility in place.*
- *The problem will be exacerbated due to ever increasing traffic volumes and as several businesses are taking on new staff.*

**OBSERVATIONS / RECOMMENDATIONS**

*The inclusion of an objective in the draft plan to provide a footpath at this location is recommended.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.*

**WILHELM KIEFEL** Submission Reference Number: 4

**LOCATION:** *General*

**REQUESTS:** *Landscaping initiatives in the Town Centre area.*

- *The provision of more green spaces into Tuam town centre, in order to bring more light and brightness into the area. For Example an initiative should be undertaken to green up 'the Shambles' car park area. A similar initiative should be initiated in the Super Value car park area, such landscaping would include the use of small cobble stones interspersed with shrubs.*
- *Presently the 'Super Value' area resembles a prison environment.*
- *The Council should exercise greater use of their powers under the Derelict Sites Act.*

**OBSERVATIONS / RECOMMENDATIONS**

*The provision of green spaces / squares is envisaged as part of the development of the Shambles and Abbey Trinity sub areas under the IAP. The development of further urban amenity spaces in the town centre can be included as an objective in the draft plan.*

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*It was proposed by Councillor T. McHugh, seconded by Councillor K. Quinn and agreed that the recommendation be accepted.*

**BRIAN CALLAGY, PLANNING CONSULTANT**

**Submission Reference Number: 5**

**LOCATION:** *General*

**REQUESTS:**

1. *The plan should have regard to the DoE Guidelines on Residential density.*
  2. *Maximum Residential density should be 10%, but may be more where Guidelines permit.*
  3. *'Backlands, steep lands, marshland, grass margins' etc. should be acceptable as public open space, where these are satisfactorily landscaped or otherwise retained for ecological reasons.*
- *The 15% open Space requirement excluding 'Backlands' etc. is at least a 50% increase on the provisions of the previous plan, and possibly 100% in some cases.*

**OBSERVATIONS / RECOMMENDATIONS**

*Development control standards in the Draft Plan are to be re- examined in the light of the Department of Environment Guidelines on Residential Density. Revised standards where considered appropriate will be brought before the Council following these submissions.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor J. Burke and agreed that the recommendation be accepted.*

**ANDREW NAUGHTON**

**Submission Reference Number: 6**

**LOCATION:** *Lands of 2.75 acres (1.11 hectares) directly north of the proposed Residential zoning (in draft) north of the Galway road, Killaloonty, Tuam.*

**1992 ZONING:** *Agricultural.*

**REQUEST:** *Rezoning from Agricultural to Residential.*

- *The lands in question consist of the total land area in Mr. Naughtons possession.*
- *Small land area renders it is unfeasible for farming purposes.*

**1992 ZONING:** *Communal.*

**OBSERVATIONS / RECOMMENDATIONS**

*There is a substantial area of land zoned for residential use in this general area (ie. Killaloohty) and the draft plan overall has proposed the rezoning of lands to cater for a population increase of 6,000.*

*No change recommended in the zoning of these lands.*

*It was recommended at the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that these lands be rezoned from agricultural to residential.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor T. McHugh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.*

**SEAMUS FLAHERTY**

**Submission Reference Number: 7**

**LOCATION:** *Lands of 4.75 acres (1.9 hectares) bounded by the Town Environs boundary to the north and east, Fortyacres, Tuam.*

**1992 ZONING:** *Agricultural.*

**REQUEST:** *Rezoning from Agricultural to Residential.*

**OBSERVATIONS / RECOMMENDATIONS**

*The lands which are the subject of this submission are located on the edge of the environs boundary, which is a considerable distance from the town centre and from existing and proposed development areas.*

*No change recommended in the zoning of these lands.*

*It was proposed by Councillor K. Quinn, seconded by Councillor J. Burke and agreed that the recommendation be accepted.*

**SISTERS OF MERCY WESTERN PROVINCE,  
c/o CONCANON & MEAGHER SOLICITORS**

**Submission Reference Number: 8**

**LOCATION:** *Lands of 0.31 acres (0.125 hectares) south of the Dublin road, zoned as Communal, Glebe, Tuam.*

**1992 ZONING:** *Communal.*

**REQUEST:** Rezoning from Communal to Commercial.

- The Sisters request this rezoning in order to facilitate an Office development at this site.

**OBSERVATIONS / RECOMMENDATIONS**

The rezoning of the lands in question to commercial use in the midst of substantial areas which are zoned for communal (ie. Institutional and residential) is not recommended. However, the request to allow for office development on these lands related to the primary use of the lands for institutional use, can be accommodated by inclusion of a written objective in the draft plan and the inclusion of such an objective is recommended.

It was recommended by the Members at the Tuam Electoral Area Committee Meeting on the 12<sup>th</sup> November 1999 that 0.31 acres be rezoned for commercial use.

It was proposed by Deputy P. Connaughton, seconded by Councillor K. Quinn and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.

It was agreed that submission no's 9, 19 and 19A would be dealt with together.

**SEAN MORAN**

**Submission Reference Number: 9**

**Oral Hearing Request**

**LOCATION:** Lands of 19.39 acres (7.85 hectares) south of the freight railway line, north west of the Industrial zoning, Killaloonty, Tuam (Marked 9A on Map).

**1992 ZONING:** Agricultural.

**REQUEST:** Rezoning from Agricultural / Recreation and Amenity to Residential.

- Town sewer passes through the said lands.
- An agricultural function for the said lands would be unfeasible.
- Lands are deemed more suitable for residential purposes and the main access would be from the Weir road.
- Lands on the opposite side of the railway are proposed as residential.

**ORAL HEARING**

In relation to the submissions received, an Oral Hearing took place on 28<sup>th</sup> September, 1999. The following information was added to these submissions.

1. Requests rezoning from Agricultural to Residential (Lands marked 9A on map).

- Lands to the north of the railway are proposed as residential.
- Access to these lands is from the Weir road to the south, if the zoning of these lands remains unchanged the lands will be landlocked.
- Lands are no longer viable for agricultural purposes.
- Farm is experiencing problems of trespass from surrounding residential areas.
- Farm practice itself is causing distress to these residential areas (e.g. Farm odours).

2. Requests rezoning from Industrial to Residential at lands bounded by the Weir road to the south and the town development boundary/ Milstream Park to the North, Killaloonty. (Marked 9B on Map).

**OBSERVATION / RECOMMENDATIONS**

1. A substantial area of land has already been proposed for residential zoning on the Weir road. This is in addition to lands zoned residential in the town which as already indicated can accommodate a population increase of 6,000.

No change recommended in the zoning of the lands marked 9A.

It was proposed by Councillor J. Burke, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.

2. However, a change from Industrial to Residential zoning is proposed for adjoining lands on the Weir road (9B) for the following reasons;

- Proximity to the town centre,
- Proximity to the existing and proposed residential development,
- Non-viable size of the overall industrial area in the longer term,
- Inadequate capacity of weir road and junction to cope with heavy industrial traffic.

In addition it is recommended that the portion of lands located between the industrial zone and the railway (ie. marked 19A on map) be rezoned residential so as to avoid it being landlocked in the future.

It was proposed by Councillor J. Burke, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.

**MICHAEL O'CONNOR**

**Submission Reference Number: 19**

**LOCATION:** Lands (8.72 acres or 3.53 hectares) bounded by the Weir road to the south, the proposed Residential zoning to the east (in draft), and the proposed Amenity zoning to the north, Killalooity, Tuam. (marked 19 on Map).

**1992 ZONING:** Agricultural / Industrial (from north to south).

**REQUEST 1.:** Rezoning from Agricultural / Industrial to Residential.

- Feels that Residential is the most appropriate zoning for these lands.
- The lands close proximity to the town centre renders them more suitable for residential purposes.
- All other Industrial zonings in the plan are large tracts of land, peripheral to the urban core, mainly adjoining the town environs boundary. These peripheral Industrial zonings are more desirable as associated heavy goods traffic is kept away from the town.
- Lands adjacent to the south-west and north-east are proposed as Residential in the draft.
- Water and Sewerage infrastructure traverse this site.

#### **OBSERVATIONS / RECOMMENDATIONS**

It is recommended that this portion of lands located between the industrial zone and the railway (ie marked 19A on map be rezoned residential so as to avoid it being landlocked in the future).

It was proposed by Councillor J. Burke, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.

**Submission Reference Number: 19A**

**LOCATION:** Northern section of the lands described above comprising of (5.26 acres or 2.13 hectares), bounded by the Tuam urban boundary to the south, Killalooity, Tuam. (marked 19A on map).

**1992 REQUEST 2.:** Rezoning from Agricultural to Industrial.

- If the Council deems it unsuitable to rezone the said lands Residential, it should at least consider to zone the entire site Industrial.
- If the zoning in the northern section of these lands remains unchanged, these agricultural lands will be effectively landlocked. Furthermore, they will be dissected by the river Nanny thus making them unfeasible for farming purposes. Feels the Railway is a more appropriate delineation for the overall zoning of these lands rather than the current Urban Boundary line.

- It is argued that there is a great opportunity to incorporate the natural resource of the river Nanny as part of a possible Industrial park, rather than having it excluded from the zoning.
- Again, Water and Sewerage infrastructure traverse this site.

**OBSERVATIONS / RECOMMENDATIONS**

It is deemed inappropriate to maintain / extend an industrial zoning at this location. Instead a change to a Residential zoning is proposed for the lands in question and the adjoining lands on the Weir road (9B) for the following reasons;

1. Proximity to the town centre
2. Proximity to the existing and proposed residential development
3. Non-viable size of the overall industrial area in the longer term
4. Inadequate capacity of weir road and junction to cope with heavy industrial traffic.
5. Furthermore, these lands are recommended to be rezoned residential so as to avoid them being landlocked in the future.

It was proposed by Councillor J. Burke, seconded by Councillor M. Connolly and agreed that the recommendations be accepted.

**NEIL GARVEY**

**Submission Reference Number: 10**

**LOCATION:** Church lane, Tuam.

**REQUEST:** Objection to the proposal to Pedestrianize Church Lane.

- Mr. Garveys bakery business has existed in Church lane for over eighty years.
- It is felt the proposal would deny Mr. Garvey and his customers access to the business.

**OBSERVATIONS / RECOMMENDATIONS**

Some of the narrower streets and lanes in the town centre were never designed to cope with moving traffic. Therefore, pedestrianization is a desirable objective which will enhance the quality of life for the residents of these streets. Furthermore it will add to the overall attractiveness of Tuam Town Centre as a place to live, shop and recreate. Experience elsewhere has demonstrated that in the vast majority of situations business is in fact improved following pedestrianization.

However, the introduction of pedestrianization on any street will have to take into account the access rights etc. of property owners.

No change recommended to the proposal to pedestrianize Church Lane.



It was proposed by Deputy P. Connaughton, seconded by Councillor T. Walsh and agreed that the recommendation be accepted.

**PAUL O' GRADY**

Submission Reference Number: 11

**LOCATION:** Extensive lands to the north (347 acres or 140.4 hectares) of the town bounded by the Town Environs boundary to the north, the Ballinrobe road to the west and the Ballindine road to the east, incorporating the townlands of Kilcloghans, Airgloony, Garracluan and Blackacre. (same as 13B on map).

**1992 ZONING:** Agricultural.

**REQUEST:** Re-examination of these lands for the purposes of rezoning lands from Agricultural to Residential.

- It is felt that the zoning objectives map has taken a short-term view in relation to the provision of lands for housing.
- Extensive ribbon development already exists on these lands, and has served to exacerbate house prices here.
- Rezoning of supplementary lands would enable landowners to avail of Capital gains tax.
- The residential rezoning proposed for these lands should cater for 'high quality, low density-executive type housing'. This would in turn attract industrialists/entrepreneurs to settle and invest in the area.

**OBSERVATIONS / RECOMMENDATIONS**

This submission relates to a substantial area of land (ie. 347 acres) which could accommodate a population of over 8,000 people at an average density of less than 8 houses per acre.

The draft plan has provided for the rezoning of sufficient lands to accommodate the projected growth of the town over the plan period and a substantial portion of these lands are in this general area.

No change recommended in the zoning of these lands.

It was proposed by Deputy P. Connaughton, seconded by Councillor J. Burke and agreed, subject to submission 13A, that the recommendation be accepted.

**3. Objection to the reservation of lands for the by-pass.**

- The reservation of lands for a by-pass mitigates against certain landowners from obtaining full market value for their lands.

**GERARD MCGOUGH, Residential** Submission Reference Number: 12  
**C/O PAUL CONAUGHTON** of quality housing in the Tuam area.

**LOCATION:** Lands of 5.6 acres (2.26 hectares) north of the Galway Road, straddling the proposed zonings of Industrial and Agricultural, Killalooity, Tuam.

**1992 ZONING:** Agricultural. *Neighbourhood convenience shops and services on each road side leading out from the Town.*

**REQUEST:** Rezoning from Industrial and Agriculture to Residential. *development in the*

**OBSERVATIONS / RECOMMENDATIONS**

*There is a substantial area of land zoned for residential use in this general area (ie. Killalooity) and the draft plan overall has proposed the rezoning of lands to cater for a population increase of 6,000.*

*No change recommended in the zoning of these lands.*

*It was recommended by the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that these lands be rezoned from agricultural to residential.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor T. McHugh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.*

**TUAM CHAMBER OF COMMERCE,**  
**C/O PAUL O'GRADY** Submission Reference Number: 13A  
**Oral Hearing Request**

**REQUESTS:**

1. Extension of the Town Environs Boundary.

- *It is felt that the town environs boundary as indicated in the draft is too restrictive on the development of Tuam, it should be therefore extended to a two or three mile radius from the town centre.*

2. Objection to the development of social housing around Tuam.

- *Grave concern at the apparent uncoordinated development of social housing in the town. It is felt that the Tirboy estate, parts of the Parkmore estate, the Gilmartin road area generally, have been allowed to develop into ghettos.*
- *There is concern that the Council's acquisition of the back lands to the Weir road will be used for the extension of social housing.*

3. Objection to the reservation of lands for the by-pass.

- *The reservation of lands for a by-pass mitigates against certain landowners from obtaining full market value for their lands.*

4. Provision of a Low Density Residential zoning category.

- There is a need for small clusters of quality housing in the Tuam area.
- Senior members of the Chamber cite the lack of quality housing in small cluster type developments as a major drawback to the attraction / retention of employment staff in the Tuam area.

5. Greater provision of neighbourhood convenience shops and services on each roadway leading out from the Town.

- It is felt there is an over concentration on compact town centre development in the draft plan.

6. Revision of current population estimations / projections for the Tuam area.

- The draft plan projects that by the year 2004 the population of Tuam will reach 8,200. However, the Chamber estimates that 10,000 people are currently living within a half a mile from Tuam town centre.
- Furthermore, the draft plan projects that by the year 2016 the population of Tuam will reach 12,500. The Chamber feels this is a major underestimation as they regard Tuam town and surrounds to include the area within a 3 mile radius from the town centre.

7. Provision for designated serviced site areas.

- The plan should designate specific areas where developers would be encouraged to make available groupings of serviced sites, and install the relevant infrastructure.
- With the aid of the Department of Finance Taxation incentive, it should allow for reasonable house prices.

8. Provision of Community / Communal facilities.

- There should be an effort to carefully designate Community/ Communal facilities for the long term development of the town.
- Although the Town development plan is for 5 years, decisions made on the plan will have at least a 20 year impact.

**OBSERVATIONS / RECOMMENDATIONS**

**Submission Requests:**

1. The extension of the environs boundary is not recommended at this stage as there are substantial lands located inside the environs boundary zoned for agricultural use which, to a large extent, will be available for future housing development.
2. The draft plan has as an objective the development of future social housing in areas of the town other than those locations which were the main focus of such housing in the past.

3. *Lands for future major industrial needs such as a ring road / by pass which are necessary for the future economic development of the town must be reserved in the draft plan, otherwise these routes will be built on and it will not be possible to develop the necessary road infrastructure.*
4. *The Planing Authority is obliged to have regard to the DOELG Guidelines on Residential Density and for this reason among others it is not appropriate to zone some lands for low density housing. There is nothing to prevent any landowners / developers from developing high quality housing at the lower end of the density scale.*  
*No change recommended in the zoning of these lands.*
5. *The draft plan allows for the development of neighbourhood centres in residential areas in Tuam Action Area Plans. These plans will be prepared following adoption of the draft plan and will identify locations for such centres. However, the draft plan must contain clear objectives for the protection of the town centre as the principle commercial area, otherwise the development of out of town shopping centres will undermine the role of the town centre. The need for this approach is borne out by the DOELG Guidelines on Shopping Development. Tuam is fortunate to have greenfield sites available in the town centre which can accommodate large modern shopping facilities.*
6. *The Tuam Draft Plan relates to the Town and Environs of Tuam and not areas outside of these boundaries. The population estimates as set out are regarded as reflecting the growth rates which are realistic and which Tuam can accommodate bearing in mind physical, economic and social/cultural aspects of such large scale development.*
7. *The 1999 Planning Bill makes provision for an element of social housing in all housing developments. In the meantime developers could be encouraged to provide such sites in every residential zone.*
8. *The draft plan allows for the development of community / communal facilities in many zones and designates lands for such uses in the recreation and amenity zones. However, the acquisition and development of lands for such uses is the only way to ultimately ensure their provision.*

### **REZONING REQUESTS**

**LOCATION:** *Lands (23 acres) bounded by the Kilcolghans road to the north, west of the Ballindine road, Kilcolghans, Tuam (Marked 13A on map).*

**1992 ZONING:** *Agriculture.*

**REQUEST A:** *Rezoning from Agriculture to Residential.*

- *In order to attract potential industrialists and entrepreneurs into Tuam, it is felt that there is a need for the creation of 'executive type' housing. Therefore, it is proposed that a suitable residential zoning will be provided for these lands which would facilitate this type of low density/ high quality development.*

**OBSERVATIONS / RECOMMENDATIONS**

**Rezoning Requests:**

**Submission Reference Number 13A:**

The draft plan has provided for the rezoning of sufficient lands to accommodate the projected growth of the town over the plan period and a substantial portion of these lands are in this general area.

No change recommended in the zoning of these lands.

It was proposed by Deputy P. Connaughton, seconded by Councillor T. Walsh and agreed that the recommendation of the Tuam Electoral Area Committee to rezone the land from agriculture to residential be accepted.

**Submission Reference Numbers: 13B, 13C and 13D**

**Submission 13B**

**LOCATION:** Extensive lands (347 acres or 140.4 hectares) to the north of the town bounded by the Town Environs boundary to the north, the Ballinrobe road to the west and the Ballindine road to the east, incorporating the townlands of Kilcolghans, Airgloony, Garracluan and Blackacre.

**1992 ZONING:** Agricultural.

**REQUEST B:** Rezoning from Agricultural to Residential.

- As well as the land earmarked at 13A above, the general Kilcolghans area should be re-examined for the creation of residential zoning (Marked 13B on map).
- Lands have been subject to a high level of Ribbon development and one off housing, thereby effectively landlocking the lands to the rear.

**OBSERVATIONS / RECOMMENDATIONS**

**Submission Reference Number 13B:**

The draft plan has provided for the rezoning of sufficient lands to accommodate the projected growth of the town over the plan period and a substantial portion of these lands are in this general area.

No change recommended in the zoning of these lands.

It was proposed by Councillor K Quinn, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.

### Submission 13C

**LOCATION:** *Lands (22.3 acres or 9.06 hectares) between the Weir road and the Action Tuam Enterprise Centre (Marked 13C on map).*

**1992 ZONING:** *Agricultural.*

**REQUEST C :** *Rezoning from Agricultural to Residential.*

- *This general area should be re-examined for the creation of residential zoning.*

### OBSERVATIONS / RECOMMENDATIONS

#### **Submission Reference Number 13C:**

*Rezoning of these lands is not deemed necessary over the period of this plan as sufficient lands have been proposed for residential zoning to accommodate the projected population over the plan period.*

*It was proposed by Councillor K. Quinn, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.*

### SUBMISSION 13D

**LOCATION:** *Lands (3.7 acres or 1.54 hectares) on the Athenry road from Hynes Plant and Engineering, towards the Athenry bog road. (Marked 13D on map).*

**1992 ZONING:** *Agriculture*

**REQUEST D :** *Rezoning from Agricultural to Industrial.*

- *This should include the closing off of the unsightly Tuam dump.*

#### **Submission Reference Number: 13D**

*These lands are located outside the town and environs boundaries and therefore do not form part of the draft plan.*

*It was agreed by the members that this was the case.*

### ORAL HEARING

*In relation to the submissions received, an Oral Hearing took place on 28<sup>th</sup> September, 1999. The following information was added to these submissions.*

1. Requests that the northern section of the road reservation as indicated in the specific objectives map should be moved further northwards to the Kilcolghans road.

- *This would enable a greater quantity of lands to be zoned Residential at this location in the future.*

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2. Requests the rezoning of lands located on the site of the old racecourse, Parkmore, from Communal to Recreational and Amenity.

- Lands in question have playing pitches located on them, which are used actively by the local community.

3. It was requested that the following general areas should be re-examined for the designation of a residential zoning;

- Lands between the Weir road and the Action Tuam Enterprise Centre.
- Lands south of Ballygaddy road.
- Lands at Kilcolghans.

**Observations on Oral Hearings:**

1. Referred to road design section for observations.
2. Lands on the site of the old racecourse can be developed for a pitch under the communal zoning objective.
3. Already dealt with in 13A, 13B and 13C above.

**JOHN O' KEEFE AND DR. D.C. HIGGINS,  
C/O PATRICK H. FLOOD AND CO.      Submission Reference Number: 14**

**LOCATION:**      Lands of approx. 10.5 acres ( 4.2 hectares) forming an L shape, bounded by the old railway to the south west and the Industrial zoning to the north west, Airgloony, Tuam.

**1992 ZONING:**      Agricultural.

**REQUEST:**      Rezoning from Agricultural to Residential

- These lands can be fully serviced by water and sewerage, as it is expected that a new sewer will be laid on the Ballygaddy road within the next 12 months.
- The land is described as being of residential character.
- Mr. O' Keefe is open to negotiation for the provision of a new ring road through his lands.

**OBSERVATIONS / RECOMMENDATIONS**

These lands are located outside the proposed residential zones in the draft plan with a substantial area zoned agricultural located between these and the proposed development zones.

No change recommended in the zoning of these lands.

It was recommended at the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that these lands be rezoned from agricultural to residential.

OBSERVATIONS / RECOMMENDATIONS

It was proposed by Deputy P. Connaughton, seconded by Councillor T. McHugh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.

**TUAM TOWN COMMISSIONERS**

Submission Reference Number: 15

**LOCATION:** General.

**REQUESTS:**

1. Safety provision for Cyclists and Pedestrians in Section 3.4 'Traffic Management and Parking'.
  - Under section 3.4 the aim is "to promote efficiency of the traffic circulation and management around Tuam". This should be amended to give safety priority to pedestrians and cyclists.
2. The inclusion of a Safety objective in Section 3.5 'Pedestrian and Cycle Links'.
3. Construction of a Roundabout and Pedestrian crossing facilities at the junction of Milton road, Blackacre, Tullinadaly road, Tuam.
  - The provision of these facilities will have a traffic calming effect, and therefore will enable greater road safety for pedestrians.

OBSERVATIONS / RECOMMENDATIONS

**Requests 1 and 2:** Objectives as set out in 1 and 2 above can be amended as requested.

**Request 3:** Referred to road design section for observations.

It was proposed by Councillor T. McHugh, seconded by Deputy P. Connaughton and agreed that the recommendation be accepted.

**TOMMY FINNEGAN**

Submission Reference Number: 16

**LOCATION:** Lands of 36 acres (14.73 hectares) dissected by the river Nanny, bounded by Weir road to the south, Halfstraddle, Tuam.

**1992 ZONING:** Agricultural

**REQUEST:** Rezoning from Agricultural to Residential.

- Lands partly adjoin a proposed residential zoning to the south (in the draft).
- Lands can be easily serviced by water and sewerage.
- In a time when serviced land is so scarce and when government is introducing serviced land initiatives that serviced land is left zoned Agriculture.



**OBSERVATIONS / RECOMMENDATIONS**

*There is a substantial area of land zoned for residential use in this general area (ie. Killaloonty) and the draft plan overall has proposed the rezoning of lands to cater for a population increase of 6,000.*

*No change recommended in the zoning of these lands.*

*It was recommended at the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that part of these lands (approximately 10 acres) be rezoned from agricultural to residential.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor T. Walsh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.*

**MARTIN MORAN**

**Submission Reference Number: 17**

**LOCATION:** *Lands of 9.84 acres (3.98 hectares), bounded by the Killaloonty road to the south, straddling an Agricultural zoning and a proposed Communal Zoning (in draft), Killaloonty, Tuam.*

**1992 ZONING:** *Agricultural.*

**REQUEST:** *Rezoning from Agricultural/ Communal to Residential.*

- *Lands nearby to the east are proposed as Residential in the draft.*
- *A sewer line runs along the lands frontage to the Killaloonty road.*
- *In a time when serviced land is so scarce and when government is introducing serviced land initiatives that serviced land is left zoned Agriculture.*

**OBSERVATIONS / RECOMMENDATIONS**

*There is a substantial area of land zoned for residential use in this general area (ie. Killaloonty) and the draft plan overall has proposed the rezoning of lands to cater for a population increase of 6,000.*

*No change recommended in the zoning of these lands.*

*It was recommended at the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that part of these lands (approximately 5.142 acres) be rezoned from agricultural to residential.*

*It was proposed by Deputy P. Connaughton, seconded by Councillor T. McHugh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.*

**JAMES C. FARRAGHER**  
**C/O PAUL O' GRADY**

**Submission Reference Number: 18**

**LOCATION:** *Lands (9.5 acres or 3.8 hectares) bounded by the Tuam urban boundary to the north, and the old railway line to the south, Halfstraddle, Tuam.*

**1992 ZONING:** *Agricultural.*

**REQUEST:** *Rezoning from Agricultural to Residential*

- *All the lower lands at Halfstraddle on the Ballygaddy road will soon be capable of being serviced by sewerage and water infrastructure.*
- *The lands in question form part of a larger field which has been proposed as Residential in the draft.*
- *If the request unsuccessful, Mr Farragher will seek an application for a material contravention to the plan (for these lands), at an early stage of the forthcoming plan period.*

**OBSERVATIONS / RECOMMENDATIONS**

*These lands appear to be located between a proposed residential zone and the railway and are therefore landlocked.*

*The rezoning of this area from agricultural to residential use is recommended.*

*It was proposed by Councillor T. McHugh, seconded by Councillor M. Connolly and agreed that the recommendation be accepted.*

**MICHAEL O' CONNOR**

**Submission Reference Number: 19B**

**LOCATION:** *Lands 10.4 acres (4.21 hectares) bounded by the Weir road to the north, a proposed Residential zoning to the east, a third class road to the south, Killaloonty, Tuam (marked 19B on map).*

**1992 ZONING:** *Agricultural.*

**REQUEST 3.:** *Rezoning from Agricultural to Residential*

- *Feels the lands form an isolated Agricultural zoning as the land to the northwest and southeast have been proposed as Residential in the Draft.*
- *Therefore, this rezoning would help consolidate residential zonings in the area.*
- *Lands could be easily serviced at a very low cost, as the lands are surrounded by existing sewer lines.*
- *It would be undesirable to continue farming in this area due to the disadvantages of trespass from residential areas, as well as such residential nuisance as slurry odour etc. emanating from the continued agricultural use of the land.*

**OBSERVATIONS / RECOMMENDATIONS**

There is a substantial area of land zoned for residential use in this general area (ie. Killaloopty) and the draft plan overall has proposed the rezoning of lands to cater for a population increase of 6,000.

It was recommended at the Tuam Electoral Area Committee Meeting on 22<sup>nd</sup> November 1999 that the lands be rezoned from agricultural to residential.

It was proposed by Councillor J. Burke, seconded by Councillor T. McHugh and agreed that the recommendation of the Tuam Electoral Area Committee be accepted.

**TO APPROVE TOWN RENEWAL PLANS FOR THE 313  
TOWNS OF BALLYGAR, CLIFDEN, LOUGHREA,  
PORTUMNA AND HEADFORD**

The Cathaoirleach referred to the reports in relation to the 5 towns which had already been circulated to the members and had been discussed at the relevant Electoral Area Committee meetings earlier that day.

**Ballygar Town Renewal Plan:** It was proposed by Deputy P. Connaughton, seconded by Councillor K. Quinn and agreed that the plan as presented and discussed at the Tuam Electoral Area Committee Meeting be forwarded to the Department of Environment for consideration.

**Clifden Town Renewal Plan:** It was proposed by Councillor J. Conneely, seconded by Councillor J.J. Mannion and agreed that the plan subject to the following 4 amendments as discussed at the Connemara Electoral Area Committee Meeting be forwarded to the Department of Environment for consideration:-

1. An exact description to be included in the written report in relation to designated site no. 2 as indicated on the map.
2. The former hotel (now used for B & B) located to the east of Market Street to be included.
3. A plot to the west of designated site no. 7 to be included.
4. A small mapping change for plots 3b and 4 in order to facilitate provision of a future road access if needed.

**Loughrea Town Renewal Plan:** It was proposed by Councillor M. Regan, seconded by Councillor M. Loughnane and agreed that the plan subject to the following five amendments as discussed at the Loughrea Electoral Area Committee Meeting be forwarded to the Department of Environment for consideration:-

1. Submission No. 2 – Designated Site No. 15 – To increase the area included under designated site No. 15 to include submission No. 2.

2. Submission No. 30 – To include the refurbishment of existing buildings Submission No. 30 as an additional designated site.
3. Submission No. 32 – To include part of site subject of Submission No. 32 as an additional designated site.
4. Submission No. 23 – To include the refurbishment of existing buildings, the subject of Submission No. 23 as an additional designated site .
5. Submission No. 50 – To include the refurbishment of existing buildings, the subject of Submission No. 50 as part of Designated Site No. 10.

**Portumna Town Renewal Plan:** It was proposed by Councillor J. McClearn, seconded by Councillor M. Regan and agreed that the plan subject to the following three amendments as discussed at the Loughrea Electoral Area Committee Meeting be forwarded to the Department of Environment for consideration:-

1. Designated Site No. 8 – Residential to be excluded.
2. Designated Site No. 2 – To add Cannings to the front.
3. Designated Site No. 5 – Clossicks and O'Keefes to be included as refurbishment under Designated Site No. 5.

**Headford Town Renewal Plan:** It was proposed by Senator J. McDonagh, seconded by Councillor T. Rabbitte and agreed that the plan as presented and discussed at the Oranmore Electoral Area Committee meeting be forwarded to the Department of Environment for consideration.

#### **SALE OF LAND AT CAHERLAVINE INDUSTRIAL ESTATE 314**

The County Secretary, outlined to the Members an amendment to the Section 83 notice in that the area of land being sold was 0.6799 acres and not 0.7 acres. On the proposal of Councillor Loughnane, seconded by Deputy Burke the Council approved the disposal of 0.6799 acres at Caherlavine Industrial Estate, Loughrea, Co. Galway to Mr Conrad Muldoon in accordance with the notice dated 1<sup>st</sup> November, 1999 under Section 83 of the Local Government Act 1946, a copy of which had been circulated to each member subject to the area being changed to 0.6799 acres.

#### **SALE OF LAND AT RINVILLE WEST, ORANMORE 315**

On the proposal of Councillor Loughnane, seconded by Councillor T. McHugh the Council approved the disposal of 2.64 acres at Rinville West, Oranmore to Reddington Construction, Clybaun Road, Galway in accordance with notice dated 3<sup>rd</sup> December 1999 under Section 83 of the Local Government Act 1946 which had been circulated to each Member.

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**ENUREMENT CLAUSES IN PLANNING PERMISSION**

316

*It was agreed to defer this item subject to details of Enurement Clauses operated by Galway County Council and operated by An Bord Pleanala being circulated to Members for discussion at a future meeting.*

**POLICY IN RELATION TO BURIAL PLOTS**

317

*Report dated 20<sup>th</sup> September 1999 from County Secretary setting out the Council's policy had previously been circulated to each Member. Referring to the policy Councillor McClearn said that while in most instances this policy was successful there were cases where it did not. He referred to a case of an elderly man and his sister living in the same house all their lives who were refused two burial plots. He asked that some mechanism be put in place to enable decisions to be made in particular circumstances and where space was available.*

*Councillor Joyce referred to a case where a business man was using a burial ground car parking area to park his vehicles and asked that the Council should take appropriate action to prevent this as it had created a lot of anger locally.*

*An Comhairleoir O'Neachtain agreed with the Council's policy and stated that there should be forward planning in the purchase of land for burial grounds in the Connemara area where there are soil difficulties. He added that records of spaces were not being kept to the standards required and graveyards were not kept in a tidy manner.*

*An Comhairleoir O'Foighil stated that he had suggested a pilot scheme to improve burial grounds and had been informed that it could be implemented at one burial ground on a pilot basis.*

*An Comhairleoir Ni Fhatharta stated burials can be very costly for old people and the cost of the plot is not the only expense.*

*Councillor Connolly stated that he was opposed to a hard and fast rule and that compassion was required in situations of sudden death.*

*Councillor Gavin stated that while the policy was generally good he accepted that there were cases requiring exceptions to the rule. He stated that the annual maintenance grant of £400 made available to Burial Ground Committees should be better advertised.*

*Mr. D. Nelson, Assistant County Manager stated that he had noted the Members comments and would come back to Members with a more comprehensive policy document on burial grounds within four to five months. He acknowledged the tremendous co-operation received from local communities in operating and maintaining burial grounds.*

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He stated that the current policy operates satisfactorily in nearly all cases and that alternative arrangements have been made in exceptional cases. Referring to the parking of lorries in a car-park adjoining a burial ground he suggested that bye-laws might be required to control parking at this public car-park or alternatively the local community might devise a control system to allow car access only to the car-park.

Referring to the variation in cost of burials throughout the county he stated that this would be examined as part of the review. He asked the Members to inform him of any lands that may become available and set out in writing any specific problems they have with burial grounds.

Councillor T. McHugh asked what the situation was in relation to a new graveyard at Dunmore.

The County Manager informed him that agreement had not been reached on acquiring a site and he sought the local community's assistance in acquiring land.

Councillor McClearn asked whether the review would deal with difficulties that arise with regard to the current burial ground policy and Mr. Nelson replied that it would.

### **REVIEW OF SPEED LIMITS**

318

It was agreed that Members would make submissions in writing on the review of speed limits for consideration at Area Committee Meetings.

### **PLANNING BILL 1999**

319

This item was deferred.

### **REPORT ON RESIDENTIAL DENSITY GUIDELINES**

320

This item was deferred.

### **MANAGERS BUSINESS**

321

#### **Town Twinning – Tuam/Strawbing, Germany**

The County Secretary referred to an application received from the Chairman of Tuam-Strawbing Twinning Committee for funding towards the cost of activities undertaken by the Committee. On the proposal of Councillor P. McHugh, seconded by Councillor Loughnane the Members agreed to a grant of £300 to the Twinning Committee.

**Rural Water Programme**

The County Secretary advised the Members of notification received from the Department of the Environment and Local Government of an additional Block Grant Allocation for 1999 of £375,000 for the Rural Water Programme, £250,000 of which is in respect of Group Schemes Capital Grants and the balance of £125,000 in respect of take over of Group Schemes.

**Millennium**

The County Manager advised the Members that all necessary arrangements have been put in place for the millennium changeover period and that a dedicated phone line would be available over the new year to deal with any change over problems that arise.

He also stated that the offices would be closed from Thursday 23<sup>rd</sup> December 1999 at 3.30 p.m. and re-open on Tuesday, 4<sup>th</sup> January 2000.

**Millennium Tree**

The County Secretary advised that the Cathaoirleach would be performing a Tree Planting Ceremony at County Hall on 1<sup>st</sup> January 2000.

**CHAIRMAN'S BUSINESS**

322

**Women's International Day**

Councillor Gavin stated that the 8<sup>th</sup> March 2000 was Women's International Day and requested that the Council support the request of the National Women's Council of Ireland that it be declared a public holiday. This was agreed by the Members.

**Dumper Truck**

An Comhairleoir O'Neachtain referred to the traffic hazard and breach of law caused by dumper trucks on the Cois Ferraige Road and requested that the Council take action against those causing damage to roads.

Mr. J. Tierney, Assistant County Manager stated that there was provision for licensing of these vehicles but that loading etc. was a matter for the Gardai. It was agreed to bring the problem to the attention of the Gardai.

**Reception**

Councillor J.J. Mannion stated that this was the last meeting of the Century and that David Trimble and Seamus Mallon should be invited to a civic reception at County Hall as a fitting gesture for their tremendous work and hopes for the next millennium. This was agreed by the Members.

NOTICES OF MOTION

**N.O.M. NO. 14 – VERGE IMPROVEMENTS – DEPUTY U. BURKE 323**

The following written reply was given to Deputy Burke:-

"A local voluntary group are considering improving this area as a Millennium Project."

**N.O.M. NO. 16 – SIGNS – DEPUTY U. BURKE 324**

The following written reply was given to Deputy Burke:-

"Signs have been erected at Derrydonnell and Craughwell. There is already a sign for Athenry at the Hanley's Corner. It is not proposed to erect any further signs there."

**N.O.M. NO. 17 – ROAD – CLLR. J. CONNEELY 325**

The following written reply was given to Councillor Conneely:-

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

**N.O.M. NO. 18 – SIGNS – CLLR. J. CONNEELY 326**

The following written reply was given to Councillor Conneely:-

"Signs will be provided at this location early in the new year. The cost of providing the above wall is approximately £6,000. This work would be suitable for inclusion under Councillors N.O.M. allocation."

**N.O.M. NO. 19 – ROAD RESURFACING – CLLR. J. CONNEELY 327**

The following written reply was given to Councillor Conneely:-

"A budget of £40,000 has been provided in the Council's 5 Year Plan for Non National Roads for year 2000 and £50,000 for the year 2002."

**N.O.M. NO. 26 – ROAD RESURFACING – CLLR. J.J. 334**



**N.O.M. NO. 20 – ROAD IMPROVEMENTS – CLLR. M. CUNNINGHAM 328**

The following written reply was given to Councillor Cunningham:-

“This location is included in the Council’s 5 Year Plan for National Secondary Roads 1999 – 2003.

The carrying out of the work is dependent on funds being made available by the National Roads Authority and land being available.”

**N.O.M. NO. 21 – ROAD REPAIRS – CLLR. M. CUNNINGHAM 329**

The following written reply was given to Councillor Cunningham:-

“Routine maintenance work will be carried out on this road in the next few weeks.”

**N.O.M. NO. 22 – VERGE TRIMMING – CLLR. M. CUNNINGHAM 330**

The following written reply was given to Councillor Cunningham:-

“Verge trimming will be carried out at this location in the next month.”

**N.O.M. NO. 23 – LIGHTING – CLLR. M. FAHY 331**

The following written reply was given to Councillor Fahy:-

“These locations will be considered when the Public Lighting Programme for 2000 is being compiled.”

**N.O.M. NO. 24 – ROAD IMPROVEMENTS – CLLR. M. FAHY 332**

The following written reply was given to Councillor Fahy:-

“This is National Secondary Route N66. Funding for the carrying out of bridge works on such routes is provided by the National Roads Authority. The matter has been referred to our Design Team for examination.”

**N.O.M. NO. 25 – ROADS – CLLR. M. FAHY 333**

The following written reply was given to Councillor Fahy:-

“This matter will be considered subject to availability of funds”.

**N.O.M. NO. 26 – ROAD RESURFACING – CLLR. J.J. 334**

**MANNION**

The following written reply was given to Councillor Mannion:-

"A budget of £20,000 has been provided under the Council's 5 Year Plan for Non National Roads 2000 -2004 for the year 2000 for the carrying out of reconstruction work at the above location."

**N.O.M. NO. 27 – FOOTPATH – CLLR. J.J. MANNION 335**

The following written reply was given to Councillor Mannion:-

"This road is in need of major realignment works. The matter of footpaths can only be addressed in the context of future realignment works."

**N.O.M. NO. 28 – DRAINAGE – CLLR. J.J. MANNION 336**

The following written reply was given to Councillor Mannion:-

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

**N.O.M. NO. 29 – SIGNS – SEN. J. MCDONAGH 337**

The following written reply was given to Senator McDonagh:-

"Signage will be reviewed next year with a view to improvements if funds are available."

**N.O.M. NO. 30 – ROAD IMPROVEMENTS – SEN. J. MCDONAGH 338**

The following written reply was given to Senator McDonagh:-

"This junction will be examined within the next two months to establish what measures are necessary."

**N.O.M. NO. 31 – ROAD SAFETY WORKS – SEN. J. MCDONAGH 339**

The following written reply was given to Senator McDonagh:-

"This road will be considered subject to availability of funds. It would be possible to improve one of the bad bends if Notice of Motion funding was made available."

**N.O.M. NO. 32 – BOTHER – AN COMH. C. NI FHATHARTA**

340

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

"Tá an bóthar seo luaite i bplean na mBóithre 2000 – 2004 le haghaidh an chéad bhliain eile."

**N.O.M. NO. 33 – BOTHER – AN COMH. C. NI FHATHARTA – 341**

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

"Tá sé beartaithe Droichead Casla a leathnú sa mbliain seo chugainn. Tá mór obair le déanamh ar an mbóthar seo agus tá súil againn gur féidir é a dhéanamh nuair atá an droichead chríochnaithe, má tá a dhóthain airgid ar fáil."

**N.O.M. NO. 34 – SOILSE POIBLI – AN COMH. C. NI FHATHARTA**

342

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

"Dé réir polasi an Chomhairle Chontae ní curtear soilsí poiblí in áiteanna mar seo. Measann an Chomhairle Chontae gur chóir do lucht bainistíochta na scoile agus an tseipéil soilsí a chur suas iad féin agus iad a oibriú ar lasc solais."

**N.O.M. NO. 35 – FOOTPATH – CLLR. P. O'SULLIVAN**

343

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

"There are no plans for footpaths at this location at present."

**N.O.M. NO. 36 – LIGHTING – CLLR. P. O'SULLIVAN**

344

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

"This is the final phase of a previously approved lighting scheme which has yet to be completed."

**N.O.M. NO. 37 – ROAD – CLLR. P. O'SULLIVAN**

345

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

"There are private issues which have to be resolved before this road can be taken in charge."

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted, Approved + Signed

*Paddy Melly*  
Chairman

28<sup>th</sup> February 2000  
DATE