

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ST JARLATHS COLLEGE, TUAM, CO. GALWAY ON MONDAY 22<sup>ND</sup> MAY, 2000**

**Cathaoirleach** Cllr P. McHugh

**I LATHAIR FREISIN:**

**Baill:** Cllr J. Burke, Deputy U. Burke, Cllr. J. Callanan, Deputy P. Connaughton, Cllrs J. Conneely, M. Connolly, M. Fahy, S. Gavin, N. Grealish, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J. J. Mannion, T. Mannion, J. McClearn, T. McHugh, M. Mullins, C. NiFhatharta, P. O'Foighil, S. O' Neachtain, P. O'Sullivan, K. Quinn, M. Regan, S. Walsh, T. Walsh

**Oifigh:-** Messrs. D. O'Donoghue, Co. Manager, J. Tierney, Asst. Co. Manager, T. Kavanagh, Co. Secretary, B. McDermott, A/A.O, E. Lusby, Finance Officer, J. Colleran, County Engineer, D. Barrett, A.O. T. Murphy, A.O., E. Moloney, S.S.O. L. Gavin, S.E.E., L. Kavanagh & G. McCarthy, S.E.E.'s, M. Jordan, A/S.S.O.

**Thosnaigh an cruinniú leis an paidir.**

**RESOLUTION OF SYMPATHY** **555**

A Resolution of Sympathy was extended to the following:-

- Sonny & Mrs Hussey, Stoolpark, Dunmore Road, Glenamaddy, Co. Galway
- Mrs. Margaret McCormack & Family, Cregclare, Ardrahan, Co. Galway
- The McNamee Family, Moore Street, Loughrea, Co. Galway
- Mr. Mattie Broderick, Brogue, Kylebrack, Co Galway
- Mr. Vincent Hynes, Lisnagloos, Craughwell, Co. Galway.

**WELCOME** **556**

The Cathaoirleach welcomed everyone to the Council Monthly meeting in St Jarlaths College which is celebrating its Bi Centenary this year. He introduced Fr Hughes the Principal of St Jarlaths. Fr Hughes welcomed the Cathaoirleach, the County Manager,

Council Officials, the Elected Members, the press, the public and the students present. He said that in his dealings with the Elected Members and Officials he found them very helpful and co-operative. The County Manager thanked Fr Hughes for providing the facilities for the meeting and he wished the college every success in its Bi-Centenary. He also welcomed the students to the meeting and informed them that there were a lot of opportunities in the Local Government Service and he hoped that they might consider it as a career.

The Cathaoirleach said that St Jarlaths was founded in 1798 by Fr. E. Kelly. Some of its past pupils include Councillor J. J. Mannion, Councillor J. Burke and the Law Agent Mr T. O'Donoghue. He also referred to former Councillors Pat Finnegan and Michéal O'Morain who were also pupils of St Jarlaths. The Cathaoirleach then made a presentation to Fr. Hughes to commemorate the Colleges Bi-Centenary.

Cllr J. Burke said that there are five secondary schools in Tuam and that the town is synonymous with education. Cllr J. J. Mannion said that the Bi-Centenary celebrations will be attended by the Mr Bertie Ahern, Taoiseach, Ms Mary McAleese, President and various representatives from the G.A.A and the Church. St Jarlaths is a centre for academic studies and sport and there is a tradition in Connemara of sending students to St. Jarlaths.

## **MINUTES OF MONTHLY MEETING HELD ON THE 27/03/2000** **558**

With the permission of the Cathaoirleach Councillor Regan made the following statement;

“In order to correct any misunderstanding that might have arisen at or arising from any report of the Council meeting dated 27/03/2000, I want the record to show the following:

1. I have been reported as stating that M.C. O'Sullivan and Company Limited were involved in projects with two sites, namely Kilcock and Silvermines. I am informed that M. C. O'Sullivan had no involvement in the Kilcock project and this was dealt with by a different Firm of Consultants.
2. I have been informed that although M.C.O'Sullivan did certain work on the Silvermines project that they withdrew from that project at an early date. I understand they have not been involved in this project/application for some time.
3. It has been reported that I commented adversely on M. C. O'Sullivan's record on the waste issue, but in fact, I accept that M.C. O'Sullivan do not have a bad record in this regard and is a Firm of the highest reputation and standing.”

Minutes of Monthly Meeting held on the 27<sup>th</sup> March, 2000 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Quinn, seconded by Councillor Gavin.

**Minutes** of Monthly Meeting held on the 10<sup>th</sup> April, 2000 were approved by the Council and signed by the Cathaoirleach on the proposal of Councillor Callanan, seconded by Councillor T. Mannion. In relation to minute No 516 Councillor Regan said that he had an interest in Planning Application No. 99/3842 but instead of declaring an interest he abstained in the vote. He wished to apologise for the error. Deputy U. Burke said he accepted Councillor Regan's explanation.

Councillor Loughnane asked if the Land Use and Transportation Study could be put on the agenda for the next meeting. The Cathaoirleach said that it was agreed at the last meeting that the County Secretary and the Cathaoirleach should decide on a date to discuss the L.U.T.S. Councillor Loughnane requested the matter to be discussed before the end of June. The County Manager explained as regards the making of submissions. It was agreed later in the meeting that there would be a special meeting at 2.30 p.m. on the 6<sup>th</sup> July to consider L.U.T.S.

## **REPORTS OF COMMITTEE MEETINGS**

**559**

The Report of the County Council/Corporation Joint Meeting held on the 10<sup>th</sup> April, 2000 was considered. It was adopted by the Council on the proposal of an Comhairleoir O'Neachtain, seconded by an Comhairleoir O'Foighil.

### **Miontuairisci Cruinniu Coiste Gaeilge – 1u Mharta 2000**

Gabh an Comhairle leis na Miontuairisci, ar mholadh an Comhairleoir O'Neachtain agus cuidiú an Comhairleoir O'Foighil.

The Report of the Conamara Area Meeting held on the 5<sup>th</sup> April, 2000 was considered. It was adopted by the Council on the proposal of an Comhairleoir Ni Fhatharta, seconded by an Comhairleoir Conneely.

The Report of the Oranmore Area Meeting held on the 26<sup>th</sup> April, 2000 was considered. It was adopted by the Council on the proposal of Cllr Grealish, seconded by Cllr Hoade.

## **DATE FOR ANNUAL MEETING OF THE COUNCIL**

**560**

On the proposal of Councillor Callanan, seconded by an Comhairleoir Ni Fhatharta it was agreed that the Annual Meeting of the Council would be held on the 10<sup>th</sup> July at 3.30 p.m.

## **MATERIAL CONTRAVENTION OF DEVELOPMENT PLAN 561 FOR THE SCHEDULED TOWN OF GORT FOR THE CONSTRUCTION OF A SUPERMARKET, 8 NO. RELATED RETAIL UNITS AND CRECHE FACILITIES AT BALLYHUGH, GORT, CO. GALWAY. PLANNING REF. 99/4722**

**APPLICANT:** Daleoak Development Ltd

Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following report dated 15<sup>th</sup> May, 2000 which had been circulated to the Members.

**“PROPOSED DEVELOPMENT:** The proposed development is for the construction of a supermarket, 8 no. related retail units and creche facilities at Ballyhugh, Gort, Co Galway

**LOCATION:** The site is located along the Tubber Road, within the 30mph speed limit.

**PLANNING HISTORY:** 98/2235 - Planning permission granted by material contravention for a residential development on a larger site.

**ASSESSMENT:** The subject application comprises a supermarket development with a total floor area of 1,300 square metres, with a number of retail units and creche facilities. Office and welfare facilities associated with the supermarket are located at first floor level. The site measures 0.92 Ha and access is provided onto Church Street. 77 car spaces are provided. The site is bounded to the South by the Gort river and provision has been made to develop a river side walk to the rear of the proposed development. The original design has been revised to provide for a two storey elevation fronting Church Street with traditional style shop fronts. The public sewer and watermain run along the road. Taken in context, the development is located adjacent to the built up area of the town centre and within 400 metres of the market square. The site is accessible, convenient to the town centre and has adequate parking. The proposed supermarket involves the relocation of Ahernes Supervalu from Georges Street. This will relieve traffic congestion along the N18 National Primary Route. The proposal will allow the existing supermarket to expand and to provide a range of products to meet the needs of the population of the town and its hinterland. The proposed development is considered appropriate in the context of the scale of Gort and the future planned development of the Town. It would help regenerate Church Street and provide a high degree of accessibility by car and pedestrians.

**ZONING:** The proposed development is on lands zoned agricultural in the Gort Town Plan 1992. The draft town plan zones the site for commercial use. The proposal would contravene the existing agricultural zoning of the land but would be in accordance with the proposed zoning.

**OBJECTIONS:** No objection has been received.

**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 19<sup>th</sup> April, 2000 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 18<sup>th</sup> June, 2000."

Cllr M. Fahy proposed that having considered the Planning Application made by Daleoak Developments for planning permission for the construction of a supermarket, 8 no. related retail units and creche facilities at Ballyhugh, Gort, Co. Galway planning reference no. 99/4722, and having considered the Report dated 15<sup>th</sup> May, 2000 on the matter, Galway County Council in accordance with the provisions of Section 26(3) of Local Government (Planning & Development) Act 1963, as amended by Section 39(d) of 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. Cllr. Michael Regan seconded this proposal. A vote was then taken which resulted as follows:-

**AR SON** Cllr J. Burke, Deputy U. Burke, Cllr J. Callanan, Deputy P. Connaughton, Cllr M. Conneely, J. Conneely, M. Fahy, S. Gavin, N. Grealish, M. Hoade, P. Hynes, J. Joyce, M. Loughane, J.J. Mannion, T. Mannion, J. McClearn, P. Mchugh, T. McHugh, M. Mullins, C. Ni Fhatharta, P. O'Foighil, S. O'Neachtain, P. O'Sullivan, K. Quinn, M. Regan, S. Walsh, T. Walsh. (27)

**IN AGHAIDH;** --- (0)

The Cathaoirleach declared the resolution carried .

## **ANNUAL FINANCIAL STATEMENT FOR GALWAY COUNTY COUNCIL FOR THE YEAR ENDED 31/12/99** 562

Mr Lusby referred to the report dated 3<sup>rd</sup> May, 2000 which had been circulated to the members and explained that the total expenditure by Galway County Council for the year

1999 was approximately £95m. He said that he would be making a presentation at the June meeting on the New Management Financial System being introduced. The Cathaoirleach and members complimented the Finance Officer and his staff on their work throughout the year. The County Manager said said Councils expenditure for 1999 amounted to spending approximately £2m per week for the year.

Cllr Gavin enquired about the £¼ m arrears on Rates. He said that it was almost 5% and wondered what efforts had been made to collect this money. He also raised the same question in relation to housing loans. The Finance Officer explained that every effort is made to collect all monies due. The arrears on Rates include vacant premises where the rates were not collectable and some arrears were collected after the 31/12/99. In reply to a query from Councillor O’Sullivan, Mr Lusby explained that receipts for Landfill refer to charges for Tuam Landfill, which has now ceased operation and small charges for Inis Mor Landfill. On the proposal of Councillor Fahy, seconded by An Comhairleoir O’Neachtain, the Annual Financial Statement for Galway County Council for Year ended 31/12/99 was approved.

### **SALE OF LAND AT CARROWLEANA, KILKERRIN 563**

On the proposal of Councillor Quinn, seconded by Deputy Connaughton the Council approved the sale of site at Carrowleana, Kilkerrin, Ballinasloe to Respond, Airmount Dominick Place, Waterford in accordance with Notice dated 10<sup>th</sup> May, 2000 under Section 83 of the Local Government Act, 1946 and Section 88 of the Housing Act, 1966 – a copy of which had been circulated to each Member.

### **DEVELOPMENT PLAN FOR TOWN OF TUAM AND ENVIRONS 564**

The County Secretary, referred to a report dated 18<sup>th</sup> May, 2000 which had been circulated to the members and which indicated that the Draft Development Plan for the Town of Tuam and Environs had been on public display for the statutory period, submissions were received and considered by the members, material alterations went on public display for the statutory period and no submissions were received during the period.

Deputy P. Connaughton sought clarification in relation to the plan to be adopted. The County Secretary explained that the plan circulated to the Members for adoption included all the amendments recommended by the area Committee.

Cllr. J. Burke pointed out that the Plan had been considered over the past 18 months and it had been well discussed. Cllr. T. Walsh said that Mr. G. McCarthy, S.E. Planner had made it quite clear to the members what his views were and that he did not see eye to eye with the members in relation to all their proposals, however, he said he had to compliment him in relation to the Plan and the advice he had given them. Cllr. T. McHugh acknowledged the co-operation between the officials and the members and pointed out that an additional 85 acres were being re-zoned by the members which they

considered were necessary. Cllr. Ml. Connolly said he considered it a good plan. The Cathaoirleach pointed out that the members envisaged a greater growth rate than the officials. At the request of Deputy Burke it was agreed to put the matter of Prior Notices on the next Planning Meeting Agenda.

It was proposed by Cllr. T. Walsh, seconded by Cllr. M. Connolly and resolved that “Galway County Council having prepared a Draft Development Plan for the Scheduled Town of Tuam and Environs, having sent copies of prescribed documents to the prescribed authorities, having published the required notices, having considered the representations and objections made to the Draft Plan, having proposed and published material alterations, in accordance with the provisions of Section 21 of the Local Government (Planning & Development) Act 1963, as amended by Section 37 of the Local Government (Planning & Development) Act 1976, and having in all other respects complied with the Local Government (Planning & Development) Act 1963 as amended hereby resolve to make the Development Plan for the Scheduled Town of Tuam and Environs i.e. the draft and material alterations as published. The Plan consists of the written statement and the relevant maps.”

The Chairman declared the resolution carried. Cllr. M. Regan wished to know if notification had yet been received in relation to the Town Renewal Scheme. Mr T. Kavanagh, County Secretary, indicated that it had not.

### **BORROWING OF £3.5M FOR THE PLANNED HOUSING MAINTENANCE PROGRAMME**

**565**

Mr Tierney explained that it was necessary to raise a loan of £3.5m for the planned Housing Maintenance Programme relating to pre 1993 houses. In reply to a query from Councillor Hynes Mr Tierney explained that this £3.5m was separate from funding for Housing Construction which is provided by the Department of Environment and from the sale of Local Authority houses. Councillor O’Sullivan asked if houses built after 1993 would be undergoing the same refurbishment. Mr Tierney said that the standard of houses built after 1993 had improved and in three years time any necessary repairs to the Councils Housing Stock would be covered under the Housing Maintenance allocation. Deputy Connaughton asked if the Council have employed an adequate number of Design and Engineering Staff and Mr Tierney replied that the design is being done inhouse and the level of staff is reasonably satisfactory.

Cllr Joyce complimented the housing staff and he said that the he welcomed improvement works on the pre 1993 houses. He said that there were three demountable dwellings in his area which were in poor condition. These houses are occupied by elderly men and should be replaced. Councillor Fahy said that the Council should make a submission to the Minister requesting funds to replace deountable dwellings and allow their occupants to live in a town or village close to all amenities. In response to a query from Councillor Hynes Mr Tierney said that due to the cost involved, central heating and ranges were not included in the plan. A separate submission would be made to the

Department of Environment for the installation of central heating. He said that there are 150 demountable dwellings at present in the County, a reduction from 700 and many of these tenants do not want to leave the area where the demountable dwellings are located. The County Manager said that the Council is doing its best within the House Building Programme to reduce the number of demountable dwellings and he said that it was the Councils policy to encourage the provision of Voluntary Housing. He asked members to inform Council Officials if they were aware of any Voluntary Groups that could assist in the provision of housing. Councillor Walsh asked if the Voluntary Groups could provide a house in a rural area. Mr Tierney explained that Voluntary Groups did not provide one off houses. He added that the Four Year Multi-Annual Local Authority and Social Housing Programme provided for the construction of forty seven rural houses annually by the Council. The Cathaoirleach seconded Councillor Fahys proposal. Councillor Connolly said that there were a number of single and separated men who have no housing available to them. On the proposal of Councillor T. Mannion, seconded by Deputy U. Burke the Council adopted the following Resolution:-

That subject to the sanction of the Minister for Environment and Local Government and in accordance with the Local Government Act (No. 2) 1960, it is hereby resolved that Galway County Council raise a loan of £3.5m for the Councils planned Housing Maintenance.

**TO APPROVE OVERDRAFT ACCOMMODATION FOR 566  
6 MONTHS TO 31/12/2000.**

A Report dated 15<sup>th</sup> May, 2000 was circulated to each member. On the proposal of Councillor Callanan, seconded by Councillor Loughnane it was agreed that overdraft accommodation of £3.5m for the six months ending 31<sup>st</sup> December, 2000 be approved subject to the sanction of the Minister for the Environment and Local Government and that the overdraft accommodation limit for the six month period from the 1<sup>st</sup> January to the 30<sup>th</sup> June 2000 be increased to £4.15m for eight days of that period.

**AT THIS POINT THE COUNCIL AGREED TO DEFER 567  
THE FOLLOWING ITEMS ON THE AGENDA:**

**Item 11 – REVISED FOUR YEAR MULTI-ANNUAL LOCAL AUTHORITY  
AND SOCIAL HOUSING PROGRAMME**

**Item 12 – (a) TO CONSIDER REPORT ON RECYCLING  
(b) TO CONSIDER DOELG DOCUMENT TITLED “THERMAL  
TREATMENT AND THE ENVIRONMENT”**

**Item 14 - LOCAL GOVERNMENT BILL 2000**

**Item 15 - RIVER SHANNON AUTHORITY**



**THE BORROWING OF £5M FOR FINANCING OF LAND PURCHASE FOR HOUSING CONSTRUCTION PROGRAMME** **568**

Mr Tierney said that the borrowing is required to fund the Councils Housing Programme including house construction, disabled persons grants etc. and the acquisition of land for the Councils Housing Construction Programme.

Deputy U. Burke asked if the Council had to compete with the private sector when acquiring land for housing. Mr Tierney explained that funds would be available when the land banks are determined. Councillor Joyce asked if the Council was considering purchasing land in the smaller towns and villages. In reply to a query from Councillor Callanan Mr Tierney said that the Council had purchased lands in towns and villages including land recently purchased in Tynagh where there are six houses under construction. In reply to Councillor Callanans' query Mr Tierney said that the Council did not want to curtail spending on Disabled Persons Housing Grants but there was considerable demand for such grants and the funding of this had to be discussed with the Department of Environment. On the proposal of Deputy U. Burke, seconded by Councillor Callanan the Council adopted the following Resolution:-

“In accordance with the Local Government Act (No. 2) 1960, it is hereby resolved that Galway County Council raise a loan of £5m for the purposes authorised under the Housing Acts”.

**USE OF NOTICE OF MOTION MONEY** **569**

Report of the County Engineer dated 12<sup>th</sup> May was submitted. Councillor T. Walsh asked if Notice of Motion money could be spent on Local Improvement Schemes and if the Local Authority had the power to waive the contribution payable by the L.I.S. applicant. He asked if the Council could request the Minister to change the old Valuation system for determining contributions under L.I.S. An Comhairleoir O'Neachtain said that other counties were in receipt of £14,000 per annum for Notice of Motion Money. He requested flexibility in spending this money on public lighting and Local Improvement Schemes. Councillor O'Sullivan asked what guidelines set out the spending of N.O.M. money. An Comhairleoir Ni Fatharta said that a five year plan was necessary for Public Lighting. Councillor Fahy asked for a submission to be sent to the Minister for Social, Community and Family Affairs requesting funding for the erection of public lighting in rural areas for the security of the elderly. Councillor T. McHugh requested that Local Improvement Schemes be included on the Agenda for the next Council Meeting.

The County Engineer explained that the Local Improvement Scheme was set out in Department Regulations and that a proposal could be put to the Department requesting a change. The Notice of Motion Money is part of the Roads Maintenance fund whereas public lighting is a separate issue. He said that if the Members wished to discuss this at

the next Estimates Meeting there may be some flexibility. . The Cathaoirleach said that no change could be made this year in relation to N.O.M. money, however, the matter can be discussed at the next Estimates Meeting. The Manager suggested that the Chairperson of each area committee liaise with the County Engineer.

Councillor Gavin asked that a motion be sent to the E.S.B. requesting them to explain the delay in removing a pole in Moycullen. The County Engineer said that the Council hold regular meetings with the E.S.B. and have explained our dissatisfaction to them.

## **MANAGER'S BUSINESS**

570

The County Manager said that the Council had approval from the Department of Environment and Local Government, and were proceeding to fill two posts of Community and Enterprise Development Officer. He also said that due to the increased workload in the Arts, Galway County Council and Galway Corporation would have their own Arts Officer and that James Harrold would be deciding whether to serve the City or County area. The Council approved the proposal on the proposal of Councillor Joyce, seconded by Councillor T. Walsh.

## **WASTE MANAGEMENT**

The County Manager made the following statement in reference to a motion passed at the meeting of the County Council held on 27<sup>th</sup> March 2000, requesting that the continued investigation of the three identified sites for the landfill would be deferred. As the members are aware, the Executive has facilitated the Council over the past year in relation to this issue. In the first instance, the members requested that no action be taken until such time as sites for the Waste To Energy plant were identified. Secondly, the Council asked that the matter be further deferred until such time as the visit to view the waste facilities in Germany had taken place. Thirdly, the members asked that the matter would be deferred until further consultations had taken place with residents of the identified areas. All of these have been complied with. The challenge facing the Council in relation to Waste Management cannot wait. The notice of intention by the Environmental Protection Agency to grant a licence for the Ballinasloe Landfill has restricted input to 375,000 tonnes. If this is not altered following Appeal, the site will have to close at the end of 2002, approximately two and half years time. As I have indicated previously it is very important for the County that the necessary level of infrastructure is available to meet the demands of mobile investment. Good quality and level of infrastructure including roads, water, drainage and waste facilities are the main reasons for enterprises to choose a certain location for their activity. We can no longer delay the identification of a site for a Landfill.

**Section 38 of the Waste Management Act 1996** indicates “that a Local Authority shall provide and operate, or arrange for the provision and operation of such facilities as may be necessary for the recovery and disposal of household waste arising within its functional area”. This is a statutory responsibility placed on the Local Authority. It is not a reserved function of the Council but an executive one. In addition under the **Local**

**Government Act, 1991** “A Local Authority in performing the functions conferred upon it by this or any other statute shall have regard to the policies and objectives of the Government in so far as they may affect or relate to its functions”. In this regard, government policy in relation to Waste Management is set out in a policy statement “Changing our Ways” issued by the Minister for the Environment and Local Government on 1<sup>st</sup> October 1998. In addition the 1991 Act states “that a Local Authority shall perform those functions which it is required by law to perform”.

I am therefore satisfied that the resolution passed by the Council at the meeting held on the 27<sup>th</sup> March last is null and void, in that it tries to frustrate a function which the Council is clearly obliged under law to undertake. The subject of the resolution is clearly a function which the Council is, by statute required to undertake. Accordingly the Council will recommence studies for the identification of a site for a proposed Landfill.

Regardless of the success of other initiatives such as Recycling or Waste to Energy, there will always be a need for landfill. Therefore, we need to press ahead with the selection of a new residual waste landfill to replace Ballinasloe whether it closes in 2002 or 2005. It will take a minimum of 5-6 years to complete site selection, go through the necessary planning phases and construct the new facility. It is therefore of critical importance that the current investigations to reduce the shortlist of three sites be expedited as quickly as possible.”

Councillor Callanan said that he was disappointed with the Managers response. He said that the Council should wait until the end of May, the closing date for submissions for the Draft Waste Management Plan. He requested the Manager to allow the motion of the 27<sup>th</sup> March and then make a decision. Councillor T. Mannion said that he respected the Managers role but he felt that due to preservation orders on the majority of the County, “flora and fauna” was being put before the people. Councillor Burke said that the Manager had no choice in making this decision. He said that a letter should be sent to the Department of Environment and Local Government requesting the entire county to be examined for suitability for landfill. Councillor Hynes said that because the provision of a landfill site is an executive function, all opposition and submissions seem futile. Councillor O’Sullivan said that the Council should advertise for land suitable for landfill. The areas in question are heavily populated and consideration has to be given to the residents. Councillor Connolly asked the Manager to wait until after the closing date for submissions. Deputy U. Burke said that the reason all the Managers in the Country were in a compromised situation was due to the fact that the waste crisis was not being dealt with by the Minister for Environment and Local Government. He enquired if the Council has made an application to the E.P.A. or the Department of Environment requesting an increased tonnage in respect of Ballinasloe landfill. He also suggested that Coillte be asked for a suitable site for landfill and that the Consultants should have only selected one site originally. Councillor Fahy said that he was disappointed that the Manager did not wait until all submissions were made. He asked if the Councillors could put forward a Section 3 Motion requesting the Manager not to proceed with the investigation of the three sites until after the adoption of the Waste Management Plan. Councillor McClearn said that the residents in the three selected areas would be obtaining

injunctions in the High Court within a week if the Manager proceeds with the site investigations. Councillor Quinn said that every county should deal with its own waste and Coillte should be approached for a suitable landfill site. The waste would not be visible and would not affect the Environment.

Councillor Regan said that some of the members did not realise that this topic was being discussed under Managers Business and had left the meeting. He said that it is wrong to investigate the sites when all submissions have not been received and it places a lot of expense on the three communities. He appealed to the Manager not to proceed with the site investigations until all submissions were received. Councillor Callanan said that he wanted to see the legislation authorising the Manager to make this decision as the councillors would be seeking legal advice. The Manager said that he would circulate the documentation and emphasised that he got no joy in doing what he had to do. It is necessary to have the infrastructure in place in order to prevent a major crisis. He said that other Local Authorities are experiencing the same difficulties and they have an obligation to provide Landfill sites. A Section 3 does not apply in relation to a Statutory Responsibility and the Waste Management Act states that a "Local Authority shall provide and operate or arrange for the provision and operation of such facilities as may be necessary for the recovery and disposal of household waste arising within its functional area". The guidelines relating to site investigation have been followed by the Consultants. The Council Officials have co-operated in every way over the past fourteen months. If there had been no delays a site would be selected at this stage. If the Council do not make a decision the Executive must make it. The closing date for submissions on the Draft Waste Management Plan is the end of May and waste to energy must also be addressed and it is important that these problems are faced together. The Manager said that the legislation places the responsibility on him and he will face up to his responsibility.

The Cathaoirleach said that the Manager had clarified the situation regarding his responsibilities and that there was little point putting forward motions that had no effect.

The County Engineer said that the Consultants had to take many factors into consideration i.e. airports, S.A.C.'s and N.H.A.'s when selecting a suitable site for landfill. Fifteen sites were selected originally, which was reduced to seven and then three. The Council cannot afford to delay any further as Ballinasloe Landfill could close in 2 ½ years.

The Cathaoirleach said that the Manager had stated his position clearly and there were two issues raised during the discussion as follows;

- (a) The Council to approach Coillte to see if they have a site suitable for landfill
- (b) The Council to advertise for a suitable site for landfill

He said that these questions must be left with the Executive until the next meeting as an instant answer cannot be given.

**TUAM INTEGRATED AREA PLAN**

Mr Tierney said that with regard to the Integrated Area Plan for Tuam, there had been no submissions for the Shambles and six submissions for Abbey Trinity.

**NOTICE OF MOTIONS**

**N.O.M. NO. 18 – SAFE CROSSING – DEPUTY U. BURKE 571**

The following written reply was given to Deputy Burke:

“The level of traffic at this location would not meet the minimum warrant for a pedestrian crossing.”

**N.O.M. NO. 20 – ROAD – CLLR. M. CUNNINGHAM 572**

The following written reply was given to Councillor Cunningham:-

“It is proposed to carry out remedial work at this location later this year.”

**N.O.M. NO. 21 – FOOTPATH – CLLR. M. CUNNINGHAM 573**

The following written reply was given to Councillor Cunningham:-

“There is a footpath serving the housing estate. There are no funds available at present to extend the footpath any further at present.

**N.O.M. NO. 22 – FOOTBRIDGE – CLLR. M. CUNNINGHAM 574**

The following written reply was given to Councillor Cunningham:-

“This matter is under discussion with Iarnród Eireann at present.”

**N.O.M. NO. 23 – ROAD – CLLR. M. FAHY 575**

The following written reply was given to Councillor Fahy:-

“This work will be carried out later this year provided agreement can be reached with the land owner involved.”

**N.O.M. NO. 24 – PETERSWELL G.W.S. – CLLR. M. FAHY 576**

The following written reply was given to Councillor Fahy:-

“In view of the increased grant entitlements for proposed group water schemes, the Council are re-examining the base funding for the Peterswell Group Water Scheme. A decision on the project will shortly be conveyed to the trustees of the scheme.”

**N.O.M. NO. 25 – GORT R.W.S.S. – CLLR. M. FAHY 577**

The following written reply was given to Councillor Fahy:-

“The Gort Regional Water Supply Scheme is included in the Council’s Assessment of Needs Programme and approval to the scheme is awaited from the Department of the Environment and Local Government”.

**N.O.M. NO. 26 – ROAD – CLLR. S. GAVIN 578**

The following written reply was given to Councillor Gavin:-

“The Cushmeigmore road is currently being widened. The road is as yet incomplete and resurfacing work will be carried out on completion of this work.”

**N.O.M. NO. 27 – FOOTPATHS – CLLR. S. GAVIN 579**

The following written reply was given to Councillor Gavin:-

“It is intended to carry out this work as soon as possible.”

**N.O.M. NO. 28 – ROAD REPAIRS – CLLR. S. GAVIN 580**

The following written reply was given to Councillor Gavin:-

“This road will be tarpatched for the section which is in charge of Galway County Council.”

**N.O.M. NO. 29 – ROAD SAFETY – CLLR. J. JOYCE 581**

The following written reply was given to Councillor Joyce:-

“The Council is very conscious of the need for road safety for pedestrians. There is a programme to improve footpaths in villages and smaller towns. Traffic Route Lighting and public lighting is being improved. Speed limits are in place. There is also a Safety Plan in place which is promoted by the Road Safety Together Committee and a campaign is on going to educate the public as to the need for a greater awareness of safety precautions. Armbands are available free of charge to schools, youth clubs, community groups or any individual member of the public”

**N.O.M. NO. 30 – SIGNPOSTING – CLLR. J. JOYCE**

**582**

The following written reply was given to Councillor Joyce:-

“The Council’s policy with regard to signs is that all statutory signs such as warning signs, stop signs and school signs are put in place. Directional signs are put in place for the larger towns and villages. Signs in stone are put in place in many townlands where local communities fund them. Insofar as possible the Council has to balance the need for signs with the negative aspects of having a plethora of signs which would negate their effect.”

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

**583**

The following written reply was given to Councillor Joyce:-

“This bridge will be examined by the Road Design team and an estimate will be provided as soon as possible.”

**N.O.M. NO. 32 – SIGN – SEN. J. MCDONAGH**

**584**

The following written reply was given to Senator McDonagh:-

“The local community should carry out such a clean up in partnership with Mark Molloy, Litter Warden and bag the rubbish. The Athenry area office will assist the community with the disposal of the bags. I regret that no funds are available for further signage at this location.”

**N.O.M. NO. 33 – DANGEROUS BENDS – SEN. J. MCDONAGH**

**585**

The following written reply was given to Senator McDonagh:-

“There are no funds available to carry out this work. The project would be considered for a Community Involvement in Roadworks scheme next year if the local community wish to apply when the scheme is advertised in September of this year.”

**N.O.M. NO. 34 – DANGEROUS BEND – SEN. J. MCDONAGH**

**586**

The following written reply was given to Senator McDonagh:-

“This work is not included in the Roadworks programme and there are no funds available to carry it out”

**N.O.M. NO. 35 – BOTHAR – AN COMH. C. NI FHATHARTA**

**587**

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

“Níl aon plean ann chun an bóthar a leathnú. Táimid ag plé an scéal mar gheall ar an radharc le úinéirí tálún. Athrófar an lintéar nuair atá an obair fheabhsacháin ar an príombóthar críochnaithe.”

**N.O.M. NO. 36 – LEITHREAS POIBLI – AN COMH. C. NI 588  
FHATHARTA**

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

“Is ceantar snámha measartha beag atá anseo. Níl go leor úsáid á dhéanamh as le go gcuirfidh leithreas ag an láthair. Tabhar fé ndeara go bhfuil leithreas poiblí cheana féin ag an láthair snámha ag Trá an Doilín, (stádas Brat Gorm) An Ceathrú Rua, atá cúpla míle uaidh.”

**N.O.M. NO. 37 – DROICHEAD CASLA – AN COMH. C. NI 589  
FHATHARTA**

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

“Tosnófar an obair ar an droichead go gairid. Níl airgead ar fáil i mbliana chun obair fheabhsacháin a dhéanamh ar an gerosbhóthar.”

**N.O.M. NO. 38 – LINN SNAMHA – AN COMH. S. 590  
O'NEACHTAIN**

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

“Rinne Comhairle Chontae na Gaillimhe iarratas ar airgead chuig an Roinn Ealaíon, Oidhreacht, Gaeltacht agus Oilean le haghaidh insliú caidéal agus trealamh thánaisteach eile comh maith leis na deisiúcháin atá riachtanach ar an láthair snámha agus na seomraí feistis ag Linn Snámha Ros Muc. Tuigimid go mbeidh an roinn ag scríobh linn go luath.”

**N.O.M. NO. 39 – BOTHAR – AN COMH. S. O'NEACHTAIN 591**

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

“Tá an balla ag an áit seo beagnach críochnaithe agus déanfar an obair feabhsachán ar dhromcla an bhóthar go gairid.”

**N.O.M. NO. 40 – BOTHAR – AN COMH. S. O'NEACHTAIN 592**

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



“Tá an glanadh á eagrú ag an bpobal in éineacht leis an maor bruscar agus beidh an Comhairle i dteagmháil le úinéirí an suímh maidir leis an ábhar seo agus maidir le todhchaí an fhoirgnimh go ginearálta.”

**N.O.M. NO. 41 – ROAD WIDENING – CLLR. M. REGAN 593**

The following written reply was given to Councillor Regan:-

“A preliminary design has been prepared for road widening at this location. However, the landowner concerned has reservations about dedicating the amount of land required. The situation will have to be re-examined to determine if worthwhile improvements can be carried out with a lesser land take.”

**N.O.M. NO. 42 – SIGNS – CLLR. M. REGAN 594**

The following written reply was given to Councillor Regan:-

“There are no plans to provide village signs and lights at the above location as Kilmadeema would not be regarded as a village.

**N.O.M. NO. 43 – ROAD WORKS – CLLR. M. REGAN 595**

The following written reply was given to Councillor Regan:-

“This road will be inspected and a report will be sent to you in the coming week.”

**N.O.M. NO. 44 – ROAD REPAIRS – CLLR. S. WALSH 596**

The following written reply was given to Councillor Walsh:-

“Tarpatching will be carried out on this road.”

**N.O.M. NO. 45 – WARNING SIGNS – CLLR. S. WALSH 597**

The following written reply was given to Councillor Walsh:-

“The signage at this junction will be examined and improved if so required.”

**N.O.M. NO. 46 – ROAD RESURFACING – CLLR. S. WALSH 598**

The following written reply was given to Councillor Walsh:-

“A budget of £20,000 has been provided in this year’s roadworks programme for pavement renewal and this work will be carried out later in the year. In the meantime minor repairs will be carried out in both locations. However, complete resurfacing

would require substantial funding. This will be examined when next years roadworks programme is being proposed.”

COMHAIRLE CHONTAE NA GAILLIMHE

CHRIOCHNAIGH AN CRUINNIU ANSIN

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON FRIDAY, 12<sup>TH</sup> MAY, 2000

Submitted, Approved + Signed

Cathaoirleach:

Cllr. P. McIlugh

ILATHAIR PRÉSIDENT:

*Paddy McIlugh*

Chairman

26<sup>th</sup> June 2000

Date

Oifigeach:

Michael D. O'Donoghue, Co. Manager, D. ... Asst. Co. Manager, T. Kavanagh, Co. ... Secretary, J. Colleran, Co. Engineer, F. Dawson, Director, Community & Enterprise, T. Murphy, D. Barrett, A.O.'s, M. Jordan, A/S.S.O., A. Power, A/S.O. & C. Mac Aodh Bhui, Oifigeach Gaeilge

Thosaigh an cruinniú leis an paidir.

RESOLUTION OF SYMPATHY

543

A resolution of Sympathy was extended to the following:-

Ms. Dymphna Fitzmaurice, Kilmora, Rallygar, Co. Galway

SALE OF SITE AT TUAM

544

**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON FRIDAY, 12<sup>TH</sup> MAY, 2000**

**Cathaoirleach:** Cllr. P. McHugh

**ILATHAIR FREISIN:**

**Bail:** Deputy U. Burke, Cllrs. J. Burke, J. Callanan, Deputy P. Connaughton, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, J. McClearn, Senator J. Mc Donagh, T. McHugh, M. Mullins, C. Ni Fhatharta, K. Quinn, T. Rabbitt, M. Regan, S. Walsh & T. Walsh

**Oifigigh:-** Messrs. D. O'Donoghue, Co. Manager, D. Nelson, Asst. Co. Manager, T. Kavanagh, Co. Secretary, J. Collieran, Co. Engineer, F. Dawson, Director, Community & Enterprise, T. Murphy, D. Barrett, A.O.'s, M. Jordan, A/S.S.O., A. Power, A/S.O. & C. Mac Aodh Bhui, Oifigeach Gaeilge

**Thosnaigh an cruinniú leis an paidir.**

**RESOLUTION OF SYMPATHY**

543

A resolution of Sympathy was extended to the following:-

Ms. Dympna Fitzmaurice, Kilmore, Ballygar, Co. Galway

**SALE OF SITE AT TUAM**

**544**

On the proposal of Councillor T. McHugh, seconded by Councillor Connolly the Council approved the sale of site comprising 0.2486 acres approximately at Liam Mellows Street, Tuam, Co. Galway to Tuam Stadium Development Association in accordance with Notice dated 17<sup>th</sup> April 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.

**DECLARATION OF ROAD TO BE PUBLIC ROAD**

**545**

- (a) On the proposal of Councillor Quinn, seconded by Councillor Connolly, 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 County Road LT 72591 and extending south for a distance of 149 metres in the townland of Killian, Mountbellew.

- (b) On the proposal of Councillor Connolly, seconded by Councillor P. McHugh, 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 County Road 6157 and extending west for a distance of 115 metres in the townland of Moyne, Tuam.

**REPORT UNDER LOCAL GOVERNMENT  
(PLANNING & DEVELOPMENT) REGULATIONS 1994  
- TUAM SWIMMING POOL**

**546**

A Report dated 8<sup>th</sup> May 2000 had been circulated to each Member.

On the proposal of Deputy Connaughton, seconded by Councillor T. McHugh, the Council approved the improvement, refurbishment and extension works to Tuam Swimming Pool including provision for enlarged and improved changing facilities, children's pool and sauna/steam area, additional management facilities and relocation of pool store.

**PROPOSED CHANGE OF NAME OF PARKMORE  
HOUSING SCHEME, TUAM**

**547**

A Report regarding the proposed change of name of Parkmore Housing Scheme, Tuam, enclosing copy of the list of qualified voters published on 3<sup>rd</sup> March 2000 and copy of submission received had been circulated to each Member.

On the proposal of Deputy Connaughton, seconded by Councillor Connolly, it was agreed to approve list of qualified electors for plebiscite for the renaming of Parkmore

Housing Estate, Tuam and that any Member of the Council may attend at the posting of Ballot Papers.

### **ADOPTION OF SPC SCHEME**

**548**

Report dated 5<sup>th</sup> May 2000 had been circulated to each Member. The County Secretary informed Members that a Draft SPC Scheme was approved at Council Meeting on 28<sup>th</sup> February 2000. The scheme was subsequently advertised and circulated and submissions invited. Closing date for submissions was 14<sup>th</sup> April 2000. No submissions were received. However on 9<sup>th</sup> May a letter was received from the ICMSA expressing its disappointment at the allocation of two positions to the farming pillar. The County Secretary explained that relative to the overall number of positions for sectoral representatives, i.e. seventeen, that two is quite reasonable. Councillor Connolly said that a working group of the County Development Board is to deal with the farming sector and this should address their grievance.

It was proposed by Deputy Connaughton, seconded by Councillor Callanan and agreed that the Draft SPC scheme be approved and adopted as recommended in the report of the County Secretary.

*It was agreed to take Item no. 7 next.*

### **DECENTRALISATION OF COLLECTION OF MOTOR TAX**

**549**

The County Secretary explained to the Members that for the past three years the Department of Environment and Local Government has been engaged in developing a computerised Motor Tax system which is to be put into operation nationally. It is called the N.V.D.F. project and is being piloted and tested at present in the Motor Tax office in Wexford after which it will have to be evaluated. The system would allow a vehicle to be taxed in any motor tax office whereas the present system only allows vehicles to be taxed in the County of residence. The new system would also up-date automatically the national file in Shannon whereas at present the application forms received daily have to be posted to Shannon in order to up-date the national file.

He explained that the Council has been awaiting the introduction of the new system, before opening any Motor Tax office outside of Galway City but the new computerised system is taking longer than expected and won't be piloted in Galway until September next at the earliest.

He said that in the meantime, the Council is investigating how best the new system can be utilized in order to provide a Motor Tax facility away from Headquarters and it is proposed that the one-stop-shop accommodation in the Ballinasloe civic offices would be the first outside Motor Tax office to be used on a pilot basis. He said that other proposals will be considered in the context of new office accommodation and decentralisation.

Deputy Connaughton said he could not understand why people had to travel 50/60 miles into an already overcrowded city to get their cars taxed. He highlighted the fact that many people are very unhappy with the opening hours of the office and were incensed when they arrived there after 3.00 p.m. to find the office closed. He suggested that the Area Offices be used to provide this service. He proposed that the decentralised system be up and running before the end of the year.

Councillor Callanan seconded Deputy Connaughton's proposal to get Ballinasloe and other towns up and running as quickly as possible.

Councillor Quinn welcomed the proposal. She said that the proposed offices should be spaced out so that it would be convenient for different users.

Cuir an Comhairleoir Ni Fhatharta failte roimh dílárú an Oifig Cáin Bóthar. Mhol sí go mbéadh oifig lonnaithe sa nGaeltacht. She asked that the Council should give more recognition to the Gaeltacht area as a unit and that offices be provided there. She said that £35m is being spent on roads over the next 7 years in the Gaeltacht area – this is a recognition by the Government at national level that the Gaeltacht has to be developed.

Councillor S. Walsh seconded An Comhairleoir Ni Fhatharta's proposal that the Gaeltacht be provided with an office to deal with matters through Irish.

Councillor Connolly welcomed the decentralisation of motor tax and the concept of the one-stop-shop initiative. He suggested that car tax could be paid in other local venues apart from Council offices.

Councillor T. McHugh suggested that the driver licence renewals also be decentralised and that drivers be informed when their licences were due to expire as it was very easy to forget, particularly with ten year licences.

Councillor Gavin said that while he agreed with Deputy Connaughton's proposal, before a decision is made it would be important to find out what are the practicalities of such a proposal – i.e. would the quality of service still be the same?

Councillor Hoade welcomed the proposal and said it would be particularly helpful for older people and people who worked outside the city who had to take time off from work to drive into town to pay their tax. She also complimented the staff in Motor Tax who work under extreme pressure at all times.

Councillor J. Burke said that the present system of one centralised motor taxation office was adding to traffic congestion and the decentralisation proposal would facilitate the Council in carrying out its business more efficiently. He said that the Council should adopt a policy of developing one-stop-shops where a wide range of services would be provided along with motor tax.

Councillor J.J. Mannion said that every electoral area in the county should have at least one office where people could pay their car tax and he suggested that the new district headquarters at Clifden would be the ideal venue for Connemara.

The County Secretary explained that it would be unwise for the Council to go it alone with the decentralisation of motor tax until the Department had put a national computerised system in place. He said that it was disappointing that it has taken so long to get established. He said that decentralisation would not be immediate as the Council wished to evaluate the success of the proposed pilot project in Ballinasloe. He said it was proposed to have one regional office in each of the five electoral areas. The issue of how many staff would be needed and what services would be available had to be addressed. He said that it was not correct to say that the public had to queue for a few hours at the motor tax office, as the queue moved quickly because all hatches were open when it was busy. He also pointed out that people could pay their car tax by credit card or by post to speed up the process.

*It was agreed to take Item No. 6 next.*

## **DISCUSSION ON PRESENTATION BY F. DAWSON ON 550**

### **(a) NATIONAL DEVELOPMENT PLAN AND (b) RURAL DEVELOPMENT WHITE PAPER**

Mr. F. Dawson, Director of Community and Enterprise summarised his previous presentation on the National Development Plan.

Deputy Connaughton referred to the National Spatial Plan where Government will have to decide on growth areas. He said that a case should be made for an improved rail system, i.e. more commuter rail links into Galway city from towns like Tuam and Loughrea to provide faster access to the city and alleviate traffic jams leading into the city.

Mr. Dawson said that an improved rail system could work. He said there was now a high grade European standard railway line between Galway and Dublin built at a cost of £20m and there was no reason why this could not be extended further, i.e. serving east Galway, for commuter purposes. He said that the potential for these rail lines is currently being examined.

Councillor J.J. Mannion said the emphasis in the National Development Plan was on roads and the construction of dual carriageways. He suggested that a dual railway line should be developed between Galway and Dublin and said the only way to take traffic off the roads was to make trains more efficient and attractive to commuters. He expressed his anger at the fact that the National Plan completely ignores the N59 from Clifden to Leenane. He said that there is a good road from Galway to Moycullen, but is of low standard from thereon.

Deputy Burke spoke about the lack of job creation. He stated that Ballinasloe Town has not had I.D.A. grant assisted jobs in past 26 years. With regard to industry, he said that the I.D.A. should be asked what is its policy with regard to towns around

County Galway. He said that there is no land bank at present. He also spoke of the serious problems in relation to rural depopulation.

Councillor Loughnane said a commuter railway could be justified on the basis of a population of 50,000 people and he said the new town for Galway should be built adjacent to Tuam instead of Ardaun at Doughiska. He said that Ardaun would do nothing to benefit the city, the people of Oranmore or rural areas and it would be better to build a new town somewhere between Athenry and Tuam serviced by rail links and a primary road network into the city.

He proposed that the LUTS Study be put before the next Council Meeting for discussion. He also proposed that commercial development/industry for County Galway be on the agenda once a year and examine why overflow from Galway City is not spreading to towns like Athenry/Loughrea.

Councillor Quinn complimented Mr. Dawson on his presentation and said that there is an exciting time ahead in Local Government because of the extra funding being provided. She said she would like to see smaller towns/villages being looked after.

Councillor Connolly stated that the issue of lack of employment in rural areas would have to be tackled. He commented on the explosion of population in urban areas and the decline of population in rural areas. He said that he had every confidence in the County Development Board and that there is agreement that areas of greatest need will be targeted.

Councillor Joyce agreed with Councillor Connolly's comments. He referred to the Stone Quarry in Ballinasloe but was critical of the fact that the stone is being brought elsewhere for cutting. He said that pressure should be put on the Tanaiste to get a company to set up a cutting and dressing process in Ballinasloe as there is a skilled workforce and a great need for jobs in Ballinasloe.

Referring to the rail system Councillor J. Burke pointed out that the infrastructure was already there and for a very small investment, thousands of people could be transported by rail to the centre of Galway. He also suggested that the Council should co-operate with the I.D.A. and invite I.D.A. to discuss and look at long term plans together.

It was agreed that the County Secretary would arrange a Meeting with representatives of an Bord Gais, I.D.A. and LUTS Consultants and that the Council might designate a special day to deal with these issues.

## **(B) RURAL DEVELOPMENT WHITE PAPER**

Deputy Burke referred to the most recent Teagasc Report which stated that there will only be 20,000 full time farmers in the whole country in a few years time. He asked how could a plan be designed to stop rural decay and stated that no one agency can tackle all the problems.

Councillor McClearn requested that the proposed River Shannon Authority be included for discussion at the next Council Meeting.



The Cathaoirleach thanked Mr. Dawson for his presentation.

## LAW AND ORDER IN THE COUNTY

551

Councillor Fahy said that he had asked for the issue of law and order in the county to be put on the agenda as a result of regular break-ins in the south Galway area over the past couple of years. He said that elderly people especially in rural areas are concerned when strangers call upon them. He proposed that a resolution be sent to Minister O'Donoghue seeking additional Garda manpower and patrol cars in the county in consultation with Chief Superintendent Tom Monaghan and the Garda Commissioner.

Councillor Mullins welcomed this item on the Agenda. He said that the significant increase in serious crime, a lot of which is drug related, throughout the county was very worrying and he highlighted the need for more Garda resources to combat the more sophisticated type of criminal coming from Dublin and other areas. He said that serious crime is not confined to urban areas but is now seen in small towns and rural areas and the elderly people feel particularly vulnerable. He said that it was time for reform of the whole judicial system and a review of sentencing regimes.

Councillor McClearn said that this was an important and very serious issue. He supported Councillor Fahy's proposal for increased Garda resources. He said that no type of crime is acceptable but crimes against old and young people should be dealt with very severely and the perpetrators should serve their full time without remission.

Councillor Gavin said that in a very short time over two thirds of the County's population will be living within a ten mile radius of Galway city. As a result of increased crime in urban areas Gardai have had to put their resources into urban areas and rural areas are suffering because of this. He said that a lot of people are not reporting crime and as a result crime statistics were down which is not an accurate assessment.

Councillor Callanan complimented the Garda Siochana on the excellent job they were doing, but said that rural policing was not really working since the rural stations were closed down and the Gardai taken out of rural areas.

Deputy Burke said that the use of the "green man" in many towns and villages was not working and that there was an increase in crime in places like Portumna/Woodford. He proposed that the Council send a resolution to the Justice Minister to speed up the current review of the scheme. He referred to the increase in violent stabbings and the necessity of curtailing the availability of knives which were very accessible to young people.

Senator McDonagh stated that the Gardai that were left in areas like Oranmore, Athenry and Loughgeorge were continuously being drafted into the city, particularly in the Summer months. He said that the Council should make a contribution towards increased public lighting outside elderly people's homes especially in rural areas.

Councillor S. Walsh stated that Oughterard went from having 16 Gardai in 1990 to effectively no Gardai at all, even though it had 6 in name. He said that the principle of zero tolerance is not working and that rural areas had gone from a policy of "zero tolerance to zero Gardai". He said that there are very few gardai left in rural areas.

Councillor J. Burke complimented the Gardai on the huge drug hauls they had discovered but said this was only the tip of the iceberg and the plague of drugs had now spread throughout rural Ireland. He said that the replacement of Gardai by the "green man" had left people living in fear in rural areas and the closeness that had once existed between the Gardai and the local community was a thing of the past. He proposed that a resolution be sent to the Minister for Justice that Gardai should live in the Community in which they worked.

Councillor Quinn referred to the important role parents had to play by being more vigilant and aware of their children's whereabouts.

Councillor Hoade proposed that a resolution be sent to the Minister for Justice for the urgent need to return to a system of rural policing in rural areas.

It was agreed that the County Secretary would send letter to the Minister for Justice setting out the resolutions proposed during the discussion. It was also agreed that Chief Superintendent Tom Monaghan would be invited to a future Meeting of the Council.

**USE OF NOTICE OF MOTION MONEY 552**

It was agreed to defer this item.

**MANAGER'S BUSINESS 553**

**Site at Tonabrucky**

The County Secretary referred to Report dated 8<sup>th</sup> May 2000 regarding Cellcom Ireland Ltd.'s application for the construction of a telecommunications tower and associated antennae/buildings on a site at Tonabrucky, Galway, the property of Galway County Council, which had been circulated to each Member.

He explained that lengthy negotiations had taken place between the Council and Cellcom regarding the rental value of the site. The Council had employed a professional advisor and agreement has been reached on the following terms – the rent for the first five years to be £5,000 p.a. There will be a five yearly rent review. At the end of the first five years the licence will provide that the revised rental will be not less than £7,500 p.a. but to be linked to open market rental value whichever is the higher. He explained that instead of granting a lease of the site, the Council proposes to deal with it by way of a licence agreement. He said that this gives the Council more control over the site and its use. The licence will only continue for as long as there is planning permission in existence.

The County Secretary explained that a resolution of the Council is not required but he wanted to inform the Members of the situation. The Members noted the Report.

**CHAIRMAN'S BUSINESS**

554

It was agreed that the May Monthly Meeting of the Council would take place in Tuam on the 22<sup>nd</sup> May 2000. The time and venue of the Meeting to be agreed at a later date.

It was agreed that the Agricultural Committee Meeting would be held on 22<sup>nd</sup> May 2000 at 12.00 p.m.

**Galway Outer Bye-pass**

Councillor Rabbitt requested an extension of the deadline for receipt of submissions for the Galway Outer Bypass to 18<sup>th</sup> June 2000 on behalf of the Menlo and Killonacaunen Residents Association. He said there was a lot of fear that their community would be destroyed and their way of life would change. He said that a committee has been formed and they were seeking this extension to ensure that their submission is detailed.

Councillor Connolly seconded Councillor Rabbitt's proposal and he said he was making representations on behalf of the residents at Killoughter, Anlinham and Monument Road. The proposed route would mean the breaking up of farms and the demolition of houses. The residents need more time to put proper submissions together.

Senator McDonagh agreed with the previous speakers and said that the proposed routes were going to have a huge effect on the people in the area.

The County Engineer said that the consultation process was not a statutory one but was recommended by the N.R.A. in order to get maximum discussion. He said that submissions would be welcome up to the middle of June. The next phase of the process was set for late July.

**Traffic Management Plan – Oughterard**

Councillor S. Walsh requested an extension of time of one month for submissions for the Traffic Management Plan for Oughterard. He was informed that there was no difficulty with this.

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted Approved + Signed

Paddy McHugh  
(Chairman)

26<sup>th</sup> June 2000  
Date

## COMHAIRLE CHONTAE NA GAILLIMHE

### **MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON 10<sup>th</sup> APRIL, 2000**

**CATHAOIRLEACH:** An Comhairleoir P. McHugh

#### **I LATHAIR 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. Loughmane, T. Mannion, J. McClearn, Senator J. McDonagh, Cllr. 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, J. Collieran, Co. Engineer, F. Dawson, Director Community & Enterprise, L. Kavanagh, P. Ridge, S.E.E.'s, T. Connell, T. Murphy, D. Barrett, A.O.'s, B. McDermott, A/A.O., A. Power, A.S.O. & A. Whelan, C.O.

#### ***Thosnaigh an cruinniu leis an paidir.***

*The Cathaoirleach informed the Members that Ryan Hanley/WSP Consultants would be making a Joint Presentation to Galway County Council and Galway Corporation on the Galway City Outer Bypass at 5.00 p.m. in the Council Chamber and requested that the meeting finish at 5.00 p.m..*

#### **RESOLUTION OF SYMPATHY**

510

*Resolutions of Sympathy was passed with the following:-*

*Mrs. J. Finn & Family, Kilbeacanty, Gort, Co. Galway  
Mrs. Maureen Lyons, Killeen, Ballyshrul, Ballinasloe, Co. Galway  
An tUasal Micheal Mac Con Iomaire, Doire Né, Casla, Co. na Gaillimhe  
Mr. Pat Whelan & Family, Castletaylor, Ardrahan, Co. Galway  
The Diskin Family, Moylough, Ballinasloe, Co. Galway*

**MINUTES**

511

*The Minutes of Special Meeting held on 10<sup>th</sup> March, 2000 were approved by the Council and signed by the Cathaoirleach on the proposal of Deputy Connaughton, seconded by Cllr. Callanan.*

**REPORTS OF COMMITTEE MEETINGS**

512

*The Report of the Oranmore Electoral Area Committee Meeting held on the 28<sup>th</sup> January, 2000 was considered. It was adopted by the Council on the proposal of Cllr. Hoade, seconded by Cllr. Grealish.*

*The Report of the Tuam Electoral Area Committee Meeting held on 28<sup>th</sup> February 2000 was considered. It was adopted by the Council on the proposal of Cllr. Quinn, seconded by Cllr. J. Burke.*

*The Report of the Connemara Electoral Area Committee Meeting held on 1<sup>st</sup> March 2000 was considered. The Report was adopted by the Council on the proposal of Cllr. Conneely, seconded by Cllr. Walsh.*

*The Report of the Ballinasloe Electoral Area Committee Meeting held on 2<sup>nd</sup> March 2000 was considered. Cllr Mullins requested an amendment to the Report of the Ballinasloe Electoral Area Committee Meeting in that Deputation No. 3 should read "Lough Bowen Residents Association". Subject to this amendment the Report was adopted by the Council on the proposal of Cllr. Mullins, seconded by Cllr. Callanan.*

*The Report of the Oranmore Electoral Area Committee Meeting held on 6<sup>th</sup> March 2000 was considered. It was adopted by the Council on the proposal of Cllr. Hoade, seconded by Cllr. Rabbitt.*

*The Report of the Meeting of the Cathaoirleach and Chairs Designate of SPC's held on 10<sup>th</sup> March 2000 was considered. It was adopted by the Council on the proposal of Cllr. T. Mannion, seconded by Cllr. J. Callanan.*

*The Report of the Connemara Electoral Area Committee Meeting held on 15<sup>th</sup> March 2000 was considered. It was adopted by the Council on the proposal of An Comhairleoir Ni Fhatharta, seconded by Cllr. Conneely.*

*It was agreed to defer Report of the Loughrea Electoral Area Committee Meeting held on 20<sup>th</sup> March 2000 until the Loughrea Town Plan is being dealt with. In reply to Cllr. McClearn the County Secretary said that the Loughrea Town Plan would be on the Agenda for the May Planning Meeting.*

**APPROVAL OF PROPOSAL UNDER WATER SUPPLIES ACT 1942 FOR ABSTRACTION OF WATER FROM LOUGH IERIN AND LOUGHAUNORE**

Report dated 29<sup>th</sup> March 2000 had been circulated to each Member. The County Secretary outlined details of the Report for the abstraction of water from Lough Ierin and Loughaunore for the upgrading and extension of Carna/Kilkieran Regional Water Supply Scheme. He explained that as a result of increased tourism, domestic demand and the development of mariculture industries, together with the need to provide water to the areas from Carna to Glinsk and Cashel, it is proposed to develop Lough Ierin, an adjacent lake at a lower elevation, as an auxiliary source. To abstract water from the lake sources, it is necessary to comply with the legal procedures set out in the Water Supplies Act 1942, and in this regard a formal proposal has been prepared to cater for both lakes, namely Loughaunore and Lough Ierin. The County Secretary advised that the Department of the Environment & Local Government had agreed to provide funding for the scheme.

It was proposed by An Comhairleoir Ni Fhatharta, seconded by Cllr. S. Walsh and resolved:-

“That Galway County Council as Sanitary Authority for the County Health District of Galway being desirous to take a supply of water from lakes known as Loughaunore and Lough Ierin situated in the Townlands of Kilkieran, Callowfinish and Ardmore in the District Electoral Division of Skannive, in the said County Health District of Galway, for the purpose of providing a supply of water for the Carna/Kilkieran Regional Water Supply Scheme to serve the areas described in the Schedule hereto, under the Local Government (Sanitary Services) Acts, 1879 to 1964, under a Scheme to be called and known as the “Carna/Kilkieran Regional Water Supply Scheme”, hereby make this Proposal under and by virtue of Section 2 of the Water Supplies Act, 1942, so taking such supply of water from the said lakes known as Loughaunore and Lough Ierin, sufficient for the requirements of the said region. The said supply is to be taken from the said lakes at intake points which are situated at the western side of Loughaunore in the townlands of Kilkieran and Ardmore and on the eastern side of Lough Ierin in the townland of Callowfinish and as shown on Drawing Nos. 1020/21/200 to 1020/21/205 made for the purposes of the said Scheme on behalf of Galway County Council by Patrick J. Tobin & Co. Ltd., Consulting Engineers, Hynes Building, St. Augustine Street, Galway.

Only part of the water in the said lakes is to be taken. When the scheme is fully developed, the maximum rate at which it is proposed to take water is 2,100m<sup>3</sup> per day and details in respect of both lakes are as follows:

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	<b>Loughaunore</b>	<b>Lough Ierin</b>
Area of Lake (existing)	6.50 ha.	11.0 ha.
Catchment Area	120.6 ha.	126.9 ha.
Average Lake Level	84.3m O.D.	44.0m O.D.
Estimated Lowest Summer Level	83.06m	42.0m O.D. (following impoundment)
Impoundment Level	85.04m O.D.	45.5m O.D.
Draw Off Level	83.06m O.D.	41.0m O.D.
Storage Depth	1.98m	3.5m

An impounding dam already exists on Loughaunore controlling the lake between the dam spillway level of 85.04m O.D. and the draw off level of 83.06m O.D. It is proposed as an ancillary operation to raise the existing level on Lough Ierin by constructing an impounding dam at the outlet stream with a spillway level of 45.5m O.D. A Pumping Station with a draw off level of 41.0m O.D. will deliver water from Lough Ierin either directly to the Treatment Works or to Loughaunore for gravity supply to the Treatment Works.

**Schedule**

<b>Region to be Served</b>	
<b>District Electoral Division</b>	<b>Townland</b>
Knockboy	Ard West, Cuilleen, Dooyher, Halfmace, Mace, Letterard, Moyrus, Mweenish, Rusheenachalla, Carna, Letterdeskert, Glinsk
Bencorr	Derryadd West
Skannive	Ardmore, Callancruck, Callowfinish, Dooletter West, Kilkieran, Rusheenamanagh
Owengowla	Gowla, Bunnahown, Derryrush, Kylesalia, Loughaconeera
Moyrus	Canower, Cashel, Cloonisle, Derrysillagh, Doonreaghan, Lehenagh South, Lettercaumus, Lettershina, Scrahallia, Townbawn.

And that the seal of the Council be affixed to the proposal.”

**SALE OF LAND AT MOYCULLEN**

**514**

On the proposal of Cllr. Gavin, seconded by Cllr. S. Walsh the Council approved the sale of land comprising 0.549 acres at Pollnaclogha, Moycullen to Thomas & Ann Moran, No. 27 Pairc na gCaor, Moycullen, Co. Galway in accordance with Notice dated 31<sup>st</sup> March 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.

**OBJECTIONS:** No objections were received.

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**PROPOSED CHANGE OF NAME OF PARKMORE 515  
HOUSING SCHEME, TUAM**

A Report regarding the proposed change of name of Parkmore Housing Scheme, Tuam, enclosing copy of the list of qualified voters published on 3<sup>rd</sup> March 2000 and copy of submission received had been circulated to each Member.

On the proposal of Cllr. J. Burke, seconded by Deputy Connaughton, it was agreed to defer this item for one month.

**MATERIAL CONTRAVENTION OF DEVELOPMENT 516  
PLAN FOR SCHEDULED TOWN OF LOUGHREA &  
ENVIRONS AT NO. 6 FORTLAND MEADOWS,  
GORTEENAPHEEBERA - PLANNING REF: 99/3842  
APPLICANT: O'ROURKE & SONS CONSTRUCTION LTD.**

Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following Report dated 5<sup>th</sup> April, 2000 which had been circulated to the Members.

**APPLICANT:** O'Rourke & Sons Construction Ltd

**PROPOSED DEVELOPMENT:** The proposed development is for change of house type and revised site boundaries at no. 6 Fortland Meadows, Gorteenapheebera, Loughrea

**LOCATION:** The site is located in the townland of Gorteenapheebera, at the Eastern outskirts of Loughrea opposite the GAA grounds.

**PLANNING HISTORY:** 99/165 – Under planning reference no. 99/165 a permission was granted for 16 dwellinghouses on this site by way of a Material Contravention resolution.

**ASSESSMENT:** The site is located in part of an existing housing estate which is under construction. Permission was previously granted for a dwellinghouse on a site at this location under planning reference no. 99/185. The house type and the site boundaries have been revised. This site has been enlarged on its Eastern boundary. The proposal is acceptable.

**ZONING:** The site is in an area zoned for agricultural development in the current Loughrea Town Plan and the proposed zoning in the Draft plan for Loughrea is for residential development.

**OBJECTIONS:** No objections were received.



**RECOMMENDATION**

Taking account of the similarity with the previous planning permission granted, a grant of planning permission is recommended.

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

Public notice of the Council's intention to consider deciding to grant permission was given on 4<sup>th</sup> March, 2000 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 3<sup>rd</sup> May, 2000."

Cllr. Callanan informed the meeting that he and Members of his party would not be supporting this material contravention. He said that an agreement was reached in previous material contravention, planning reference no. 99/165, that the green area would remain intact and that this planning application was encroaching into the green area.

Mr. L. Kavanagh, S.E.E. Planning, stated that house no. 8 will be nearer Fortlands House and that the person in Fortlands House is objecting to this. He said that the members requested that a condition be inserted in the previous material contravention that the green space remain and this condition was included.

The Cathaoirleach informed the Council that the material contravention before the Council only deals with site no. 6. Sites no. 7 and 8 would have to be the subject of a new application.

Deputy U. Burke proposed that having considered the Planning Application made by O'Rourke & Sons Construction Ltd., for planning permission for change of house type and revised site boundaries at No. 6 Fortland Meadows, Gorteenapheebera, Loughrea and having considered the Report dated 5<sup>th</sup> April, 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. Cllr. McClearn seconded this proposal. A vote was then taken which resulted as follows:-

**AR SON:** Deputy U. Burke, Deputy P. Connaughton, Cllrs. S. Gavin,  
N. Grealish, P. Hynes, J. McClearn, Senator J. McDonagh,

Cllrs. T. McHugh, M. Mullins, P. O'Foighil & T. Walsh (11)

**IN AGHAIDH:** Cllr. J. Burke (1)

**GAN VOTAIL:** Cllrs. J. Callanan, M. Connolly, J. Conneely, M. Cunningham, M. Fahy, M. Hoade, M. Loughnane, T. Mannion, P. McHugh, C. Ni Fhatharta, P. O'Sullivan, K. Quinn, T. Rabbitt, M. Regan & S. Walsh (15)

*The Chairman declared the Resolution lost.*

**MATERIAL CONTRAVENTION OF DEVELOPMENT 517  
PLAN FOR SCHEDULED TOWN OF LOUGHREA &  
ENVIRONS IN TOWNLAND OF MOUNTPLEASANT  
PLANNING REF: 99/3791 APPLICANT: RONNIE GREENE**

*The County Secretary informed the Members that the paragraph headed "Objections" at the bottom of Page 2 of Report of 7<sup>th</sup> April 2000 should be omitted.*

*Mr. Liam Kavanagh, S.E.E. outlined the details of Material Contravention set out in the following Report dated 7<sup>th</sup> April 2000 which had been circulated to the Members.*

**"APPLICANT:**

**Mr Ronnie Greene**

**PROPOSED DEVELOPMENT:**

*The proposed development is for permission for the provision of 6 no. serviced sites, 56 no. residential units consisting of 3 no. detached dwellings, 26 no. semi-detached dwellings and 27 no. terraced dwellings, roadworks and associated services in the townland of Mountpleasant, Loughrea*

**LOCATION:**

*The site is located in the townland of Mountpleasant, Loughrea, east of the Mountpleasant Housing Development and west of the Graveyard.*

**PLANNING HISTORY:**

*No previous applications on this site.*

**ASSESSMENT:**

*The proposed development comprises a mix of developments. 6 no. sites for detached dwellinghouses, 26 no. semi-detached dwellinghouses and a courtyard type development consisting of 27 no. terraced dwellinghouses. The site size is 2.935 Hectares (7.25 Acres) and the density proposed is 8 dwellinghouses per acre. A total of 17% of amenity open space is being provided. The proposed development is to be connected into the public sewer. A new surface water drain is to*

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be provided between the site and “Fitzys” corner. A new culvert is to be provided near “Fitzys” corner and agreement has been reached in principle with the Executive Engineer Loughrea in relation to that proposal. An in-line booster will be provided on the existing watermain.

There have been two objections received in relation to the application. The residents of Cross Street, Loughrea object on the basis of:

- (a) Traffic problems at the Schools and at the pitches
- (b) Disposal of surface water.

The congestion at School opening and closing times is a problem in many towns and is a matter for traffic control and regulation. The proposed site is within easy walking distance of the schools and the proposed development should not add to the traffic problem. The surface water is being disposed of independently by pipeline and is not to discharge to the existing stream.

A number of residents of the Lake Road have objected to surface water discharging to the existing culvert. This is not to be the case. A new culvert is to be provided. These residents indicate that if the existing culvert were to be widened, then they would withdraw their objection. The provision of the new culvert in addition to the existing culvert, would have the effect of achieving their objective.

There is a letter of comment on behalf of the residents of the Mountpleasant Estate. The comments are subjective in terms of layout, design, levels and density. The comments in relation to services have been addressed. It is stated that the residents of No. 14 Mountpleasant will object to any landfill and two storey houses on sites No. 1 to 14 inclusive of the proposed development. This area is in fact zoned for residential development in the current Loughrea Town Plan. The proposed dwellinghouses would not directly overlook No. 14 Mountpleasant, the sides of the proposed dwellinghouses would be orientated towards that dwellinghouse. It is intended that additional planting would be carried out along the common boundary to augment the existing screen of trees.

**ZONING:** The site is zoned for Agricultural Development in the Loughrea Town Plan and is zoned for residential development in the Draft Plan for Loughrea.

### **RECOMMENDATION**

Taking account of the proposed zoning of the lands for residential development in the Draft Plan for Loughrea, a grant of planning permission is recommended subject to appropriate conditions.

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

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Public notice of the Council's intention to consider deciding to grant permission was given on 16<sup>th</sup> March, 2000 and the notice invited members of the public to submit representations or objections. None were submitted. However, there is a letter of comment which was received on behalf of the residents of the Mountpleasant Estate, and the same has been addressed above.

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 15<sup>th</sup> May, 2000."

Cllr. M. Cunningham proposed that having considered the Planning Application made by Mr. Ronnie Greene, for planning permission for the provision of 6 no. services sites, 56 no. residential units consisting of 3 no. detached dwellings, 26 no. semi-detached dwellings and 27 no. terraced dwellings, roadworks and associated services, planning reference no. 99/3791, and having considered the Report dated 7<sup>th</sup> April, 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. Cllr. M. Loughnane seconded this proposal. A vote was then taken which resulted as follows:-

**AR SON:** Deputy U. Burke, Cllr. J. Callanan, Deputy P. Connaughton, Cllrs. M. Connolly, J. Conneely, M. Cunningham, M. Fahy, S. Gavin, N. Grealish, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, 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 (27)

**IN AGHAIDH:** Cllr. J. McClearn (1)

**GAN VOTAIL:** Cllr. J. Burke (1)

The Chairman declared the Resolution carried.

## **DISCUSSION ON PRESENTATIONS BY MR. F. DAWSON ON (A) NATIONAL DEVELOPMENT PLAN AND (B) RURAL DEVELOPMENT WHITE PAPER** 518

This item was deferred.

**DECENTRALISATION OF COLLECTION OF MOTOR TAX 519**

*This item was deferred*

**LAW AND ORDER IN THE COUNTY 520**

*This item was deferred*

**USE OF NOTICE OF MOTION MONEY 522**

*This item was deferred.*

**CONFERENCES 523**

*On the proposal of Cllr Callanan, seconded by Cllr Loughnane, 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;-*

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

<i>Cllr. C. Ni Fhatharta</i>	<i>Cllr. T. Mannion</i>	<i>Cllr. N. Grealish</i>
<i>Cllr. J. Conneely</i>	<i>Cllr. S. Walsh</i>	

**16<sup>th</sup> Annual Environmental Conference – Carragline, Co. Cork – 4/5 May 2000**

<i>Cllr. M. Conneely</i>	<i>Cllr. S. Walsh</i>	<i>Cllr. P. Hynes</i>
<i>Sen. J. McDonagh</i>	<i>Cllr. T. McHugh</i>	<i>Deputy U. Burke</i>
<i>Cllr. T. Rabbitt</i>		

**Community Development Conference – Dublin Castle – 3<sup>rd</sup> April 2000**

<i>Cllr. J. McClearn</i>	<i>Cllr. T. Walsh</i>	<i>Cllr. P. Hynes</i>
<i>Cllr. M. Loughnane</i>	<i>Cllr. M. Cunningham</i>	<i>Cllr. M. Fahy</i>
<i>Cllr. M. Regan</i>	<i>Cllr. T. Mannion</i>	<i>Cllr. K. Quinn</i>
<i>Cllr. M. Hoade</i>	<i>Cllr. M. Connolly</i>	

**MANAGER'S BUSINESS 524**

*The County Secretary informed the Meeting that he had received notification from the N.R.A. "that the DOELG and N.R.A. are in agreement that the regional portion of the proposed Galway Outer Bypass (N59 portion westwards to the R336) should be brought to route selection stage with the portion of the Bypass lying between the N6/N18 to the east and the N59 to the west. To this end, this Authority in agreement*

with the DOELG are prepared to finance increased design costs of not more than £250,000 to bring the regional portion of the Outer Bypass (N59 to R336) to route selection report stage.”

The Members welcomed the announcement and congratulated the Manager and Staff on this announcement.

## **CHAIRMAN’S BUSINESS**

525

Cllr. T. Walsh asked when a meeting of the Agricultural Committee would be held. The County Secretary replied that a meeting could be held as soon as a date is agreed.

### **Ballinasloe Pool**

Cllr. Mullins supported the Members of Ballinasloe U.D.C.’s proposal to have Ballinasloe Swimming Pool reopened as soon as possible. He said that it is a huge issue in Ballinasloe and it is important that this facility be open to the public as quickly as possible. He proposed that the Council do everything to support the U.D.C. in the re-opening of the pool. Both Cllr. O’Sullivan and Cllr. Callanan agreed with Cllr. Mullins’ proposal and said that it was important that funding be provided for this project. Cllr. T. Mannion stated that Ballinasloe Swimming Pool is a very important facility for the young population of Ballinasloe and he appealed to the Council to give them every assistance they can. Cllr. Joyce stressed the need to have the pool opened as soon as possible.

### **Declaration of Interest**

Cllr. Mullins queried letter dated 24<sup>th</sup> March 2000 from the County Secretary to each Member regarding Declaration of Interest and asked why it was necessary to circulate it.

The County Secretary replied that he was availing of the opportunity to remind Members in relation to declaration of interest under Sections 32 and 33 of the Local Government (Planning & Development) Act 1976.

Some Councillors were not clear as to their obligations and what interests they had to declare. At the end of the discussion it was agreed that a report would be prepared for discussion at the next Council Meeting.

### **Minister’s Visit**

The County Secretary informed the Members that the Minister for the Environment & Local Government would be in Galway on Monday, 17<sup>th</sup> April and would be meeting Officials from the Council, Oireachtas Members and three Members of the Council. He asked the Members to nominate three Members. On the proposal of Cllr. Fahy,

seconded by Cllr. T. McHugh, it was agreed that Cllrs. J. Callanan, J. Burke and M. Loughnane would represent the Council.

**NOTICES OF MOTION**

**N.O.M. NO. 14 – FLASHING LIGHTS – CLLR. M. CUNNINGHAM 526**

The following written reply was given to Cllr. Cunningham:-

*“The warning lights used by Galway County Council are similar to those used throughout the country. The Council will keep the matter under review to see if a better type light is available on the market at a reasonable price.”*

**N.O.M. NO. 15 – LIGHTING – CLLR. J. CONNEELY 527**

The following written reply was given to Cllr. Conneely:-

*“This location is not included in this year’s Public Lighting Programme. However, the Council intends to seek funding for lighting from the Department of the Marine and Natural Resources. If this funding is provided, lighting will be erected.”*

**N.O.M. NO. 16 – ROAD RESURFACING – CLLR. J. CONNEELY 528**

The following written reply was given to Cllr. Conneely:-

*“There is an allocation in the current Roadworks Programme to surface dress part of this road.”*

**N.O.M. NO. 17 – GRAVEYARD – CLLR. J. CONNEELY 529**

The following written reply was given to Cllr. Conneely:-

*“This road is not included for resurfacing in the Roadworks Programme. Routine maintenance will be carried out.”*

**N.O.M. NO. 18 – SIGNAGE – CLLR. M. CUNNINGHAM 530**

The following written reply was given to Cllr. Cunningham:-

*“The Place Names Commission of the Ordnance Survey determine the Irish version of place names which must be used on signposts. The Commission will be written to*

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requesting that "Gort Inse Guaire" be accepted by them as the correct Irish translation of Gort."

**N.O.M. NO. 19 – HARD SHOULDER – CLLR. M. CUNNINGHAM 531**

The following written reply was given to Cllr. Cunningham:-

"A path will be constructed on grass margin to facilitate children at above location."

**N.O.M. NO. 20 – WATER SUPPLY – CLLR. M. CUNNINGHAM 532**

The following written reply was given to Cllr. Cunningham:-

"A number of trial holes are being drilled to ascertain a suitable ground water source for the Gort Regional Water Supply Scheme. Once an adequate supply is obtained, the Council will proceed with the site investigation and the design of the contract documents for the project."

**N.O.M. 21 – L.I.S.'s – SEN. J. MCDONAGH 533**

The following written reply was given to Senator McDonagh:-

"At the 1<sup>st</sup> January 2000, the number of applications on hands at 1/1/00 was as follows:

1997	13
1998	38
1999	51
2000	Up to 31/12/00 13
	-----
	Total 115

It is hoped to have all the outstanding 1997 applications processed and works implemented in the current year and approximately 20-25 of the 1998 applications. In the event of applications not being eligible or withdrawn by applicants the 1998 figure would be higher."

**N.O.M. NO. 22 – CREGMORE ROAD – SEN. J. MCDONAGH 534**

The following written reply was given to Senator McDonagh:-

"Potholes will be filled and water tables will be cleared as part of routine maintenance works. This section of road is not included for improvement in the Roadworks Programme."



**N.O.M. NO. 23 – HOUSING – SEN. J. MCDONAGH 535**

The following written reply was given to Senator McDonagh:-

“There are currently 1,506 applicants to the County Council for local authority housing.

The Council’s four year Multi Annual Programme covering the period from the years 2000 – 2003 inclusive provides for the provision of a total of 548 houses.

The house construction programme for the year 2000 proposes to provide 155 houses.”

**N.O.M. 24 – SOILSE POIBLI – AN COMH. C. NI 536  
FHARTHARTA**

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

“Níl sé ar intinn ag an gComhairle soilse poiblí a chur ag an séipéal. Bheadh sé níos feiliúnaí dá gcuirfeadh an pobal solas ar lasc ar fáil. Mar sin ní gá an piopa a thabhairt níos fuide.”

**N.O.M. NO. 25 – TREOIR LU AIS – AN COMH. C. NI 537  
FHATHARTA**

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

“Ceapann an Chomhairle nach bhfuil gá le treoir luais ag an áit seo.”

**N.O.M. NO. 26 – CARR CHLOS – AN COMH. C. NI 538  
NI FHATHARTA**

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

“Tá sé beartaithe an carr chlós a fhoirbairt I mbliana.”

**N.O.M. NO. 27 – GRUP SCEIM UISCE – AN COMH S. O’ 539  
NEACHTAIN**

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

“Tá an Comhairle Chontae ag deanamh scrúdú ar an scéim uisce Doire Lochan Thiar leis na féidireachtaí maidir lena thógáil faoina gcúram a mheas.”

**N.O.M. NO. 28 – STORM DAMAGE – CLLR. S. O’ 540  
NEACHTAIN**

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

"The estimated cost of remedial work is £15,000. There are no funds allocated for this work in the Roadworks Programme."

**N.O.M. NO. 29 – COSAN – AN COMH. S. O'NEACHTAIN 541**

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

"Chuireadh sonraí ar chostas an chosán seo chuig an Roinn Ealaíon, Oidhreacht, Gaeltachta agus Oileán. Déanfar an obair má chuireann an Roinn deontas ar fáil."

**N.O.M. NO. 30 – HOUSING – CLLR. P. O'SULLIVAN 542**

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

"Mrs. Lucy Ryan, Pass, Fahy, Eyrecourt, is an applicant for housing in Eyrecourt.

She is currently residing in the family home at the above address which is a vested Local Authority house. Mrs. Ryan states that the house is owned by her sister in England who wants to return to live there. The house is neither unfit nor overcrowded.

The Council does not have any houses available for letting in Eyrecourt at present, but should any vacancy arise Mrs. Ryan's application will be considered having regard to the Council's Scheme of Letting Priorities."

**CHRIOCHNAIGH AN CRUINNIU ANSIN**

Submitted, Approved & Signed

Paddy McElroy  
Chairman

23rd May 2000

DATE