

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ARAS AN CHONTAE, PROSPECT HILL, ON MONDAY, 24TH
JANUARY, 2005

LEAS CATHAOIRLEACH:

Cllr. Willie Burke

ILATHAITR FREISIN:

Baill:

Cllrs. S. Canney, S. Connaughton, C. Cannon, J. Conneely, D. Connolly, M. Connolly, Comh. S. O’Cuaig, Cllrs. J. Cuddy, M. Fahy, P. Feeney, F. Healy Eames, M. Hoade, P. Hynes, J. Joyce, C. Keaveney, S. Kyne, J. McDonagh, T. McHugh, M. Mullins, Comh. C. Ni Fhatharta, S. O’Tuairisg, Cllrs. M. Regan, T. Reilly, J. Tierney, S. Walsh, T. Walsh, T. Welby, B. Willers.

Offighigh:

Mr. P. Gallagher, County Manager, Messrs. J. Cullen, J. Morgan, L. Gavin F. Gilmore, P. Ridge, Directors of Services, Mr. G. Mullarkey, Head of Finance, Messrs. D. Barrett, A. Comer, Senior Executive Officers, Mr. J. Eising, Senior Engineer, Mr. L. Kavanagh, Senior Executive Engineer, Mr. J. O’Donnell, Planner, Mr. A. Farrell, Admin. Officer, Ms. M. Mc Grath, Senior Staff Officer, Ms. B. Donnellan & Ms. R. O’Boyle, Staff Officers.

Also:

Mr. Padraic Fogarty, Patrick J. Tobin & Co., Ltd., Consulting Engineers. Messrs T. Hemon, DOS, and .R. Brennan S.E.E., Galway City Council, Dr. Niamh Clune, Consultant, “Wealth on Waste”.

Thosnaigh an cruinniú leis an paidir

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The Mayor welcomed all to the Meeting. He then referred to the recent Tsunami disaster where 225,000 people had died and many were still missing. He referred to the generosity of the public and government, and suggested that Galway County Council do something tangible to support this effort. He proposed, that each Member donate €1,000 of their Conference Money to Concern. This was seconded by Cllr. D. Connolly. The Members were all in agreement that this was a very worthy cause and they complimented the Mayor on coming up with such a proposal. It was proposed that all local authorities be written to in the hope that they would share the same view. Cllr. McDonagh stated that he raise it through LAMA. It was agreed to do both.

Cllr. Mullins said it would be a nice idea to twin with some of these towns and keep in touch with how the project was progressing.

RESOLUTIONS OF SYMPATHY.

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A Resolution of Sympathy was extended to the following:-

Mrs. Mary Hickey, Derrymullen, Ballinasloe, Co. Galway.

Mrs. Della Hickey, St. Joseph's Place, Ballinasloe, Co. Galway.

Mrs. Molly Lyons, Curragh Park, Ballinasloe, Co. Galway.

Mrs. Aggie Smyth, St. Michaels Place, Ballinasloe, Co. Galway.

Mrs. Cilia Fleming, Cregboy, Claregalway, Co. Galway.

Máire Bn. Uí Choisdealbha, Cor na Rón, Indreabhán, Co. na Gaillimhe.

Bernie & Mary O'Donoghue & Family, Caherglissane, Gort, Co. Galway.

On the proposal of Cllr. McDonagh, seconded by Cllr Cuddy it was agreed to defer Item No. 2(a) and 12 as these were to be considered further at the Oranmore Area Committee Meeting to be held at 11.00 a.m. on the 14th February, 2005. It was also agreed that a Special Meeting of the Council would be held at 3.00 p.m. on the 14th February, 2005

The Manager requested that Item No. 19 be deferred to a later date, and this was agreed.

Cllr. D. Connolly referred to the inclusion of Ballinasloe in the Regional Broadband Programme and to the recent visit by Minister Micheal Martin to the area. He said he hoped that the Minister would take cognisance of how the East of the County is becoming more and more economically deprived.

MINUTES

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The Minutes of the Budget Meeting held on the 20th December, 2004 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. Keaveney.

Cllr Welby referred to Page 5 of the Minutes and the Item dealing with Public Water Service Charges. He said he had written to the County Manager for further clarification on this matter. The Manager informed Cllr. Welby that a reply had been sent to him. Cllr. Welby said he had not received a reply. The Manager said he would have the matter

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investigated and ensure that the letter of response dated the 6th January, 2005 was forwarded to Cllr. Welby.

Comh. O'Cuaig asked when would arrears be paid to Outdoor Staff. Mr. Cullen informed him that this would vary from area to area, but should be completed in a few weeks.

Cllr. Healy Eames referred to Page 4 of the Minutes. She said she wanted to clarify a piece of information which was circulating incorrectly in the Media, whereby it was alleged that the expenditure cuts in the Budget would adversely affect people with disability. She said she had written to the Head of Finance and in his reply he had stated that there would be no impact on people with disabilities. Cllr. Cuddy said that as there was less for Disabled Persons Grants than the previous year then people with disabilities were affected.. He referred to the figures shown on Page 72 of the Budget. Mr. Gilmore explained to the Members that funding for Disabled Persons Grant and Essential Repair Grants was a mixture of Capital and Revenue Funds. He also stated that it was not anticipated that there would be any reduction in the level of service provided in the Disabled Persons Grants and Essential Repairs Grants in 2005

The Minutes of the Monthly Meeting held on the 20th December, 2004 were approved by the Council and signed by the Mayor on the proposal of Cllr. Regan, seconded by Cllr. Tierney.

REPORTS

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The report on the Housing Services Strategic Policy Committee Meeting held on the 13th December, 2004 was considered. It was adopted by the Council on the proposal of Cllr. McHugh, seconded by Cllr. Kyne.

The report on the Ballinasloe Area Committee Meeting held on the 30th November, 2004 was considered. It was adopted by the Council on the proposal of Cllr. Mullins, seconded by Cllr. D. Connolly.

EXTINGUISHMENT OF PUBLIC RIGHT OF WAY – SECTION 73 OF THE ROADS ACT, 1993.

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On the proposal of Cllr. Kyne, seconded by Cllr. S. Walsh, it was agreed that this Item be deferred.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – KILLERORAN BRIDGE ON. N63 279

A Report was circulated to each Member.

On the proposal of Cllr. McHugh, seconded by Cllr. D. Connolly, the proposed works on the Killeroran Bridge was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS – 2001 - NEW PEDESTRIAN BRIDGE AT ARDBEAR, CLIFDEN, CO. GALWAY 280

A Report was circulated to each Member.

On the proposal of Cllr. J. Conneely, seconded by Comh. O'Tuairisg, the proposed works on installing a new Pedestrian Bridge at Ard Bear was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION OF A SINGLE RURAL HOUSE WITH SERVICES AT MIDDLEQUARTER, INISHBOFFIN, CO. GALWAY. 281

Report dated the 17th December, 2004 was circulated to each Member.

On the proposal of Cllr. S. Walsh, seconded by Comh. O'Tuairisg, the proposed construction of a single rural house with services at Middlequarter, Inishboffin, was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION OF SINGLE RURAL HOUSE WITH SERVICES AT BALLINTLEVA, ROSSAVEAL, CO. GALWAY. 282

Report dated the 17th December, 2004 was circulated to each Member.

On the proposal of Comh. O'Tuairisg, seconded by Cllr. S. Walsh, the proposed construction of a single rural house with services at Ballintleuva, Rossaveal, was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION OF A SINGLE RURAL HOUSE WITH SERVICES AT BOLISKA, SPIDDAL, CO. GALWAY. 283

Report dated the 17th December, 2004 was circulated to each Member.

On the proposal of Cllr. S. Walsh, seconded by Cllr. J. Conneely, the proposed construction of a single rural house with services at Boliska, Spiddal, was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS, 2001 – CONSTRUCTION OF A SINGLE RURAL HOUSE WITH SERVICES AT BALINAKILLA, TOGHER, TUAM, CO. GALWAY. 284

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Report dated the 12th January, 2005 was circulated to each Member.

On the proposal of Cllr. M. Connolly, seconded by Cllr. Canney, the proposed construction of a single rural house with services at Ballinakilla, Togher, Tuam was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS, 2001 – CONSTRUCTION OF A NEW RESERVOIR IN WOODFORD, LOUGHREA, CO. GALWAY. 285

Report dated the 12th January, 2005 was circulated to each Member.

On the proposal of Cllr. Regan, seconded by Cllr. Hynes, the proposal to construct a new Reservoir at Woodford, Loughrea was approved.

Cllr.Regan asked when will works commence and be completed.

Mr. Gavin informed the Members that work should start in early Summer and continue for six to eight weeks.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION OF AN ACCESS ROAD AND GROUND LEVEL RESERVOIR AND ASSOCIATED PIPEWORK BEHIND THE EXISTING RESERVOIR AT BALLYROE, WILLIAMSTOWN, CO. GALWAY. 286

Report dated the 18th January, 2005 was circulated to each Member.

On the proposal of Cllr. T. Walsh, seconded by Cllr. McHugh the proposal to construct an Access Road and ground level reservoir and associated pipework behind the existing reservoir at Ballyroe, Williamstown was approved.

Cllr. T. Walsh asked when would the works be in place. Mr. Gavin informed him that it was intended to start the works in the Summer and have them completed by late Autumn.

CONSIDERATION OF THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON THE AMENDMENTS AND MATERIAL ALTERATION TO THE DRAFT LOCAL AREA PLAN FOR TUAM AS PER SECTION 9 (f) (i) & (ii) OF THE PLANNING AND DEVELOPMENT ((AMENDMENT) ACT 2002 287

Mr Kavanagh presented the Manager's Report prepared on the submissions received on the Amendments and Material Alterations to the Draft Tuam Local Area Plan. He began with submissions Dd1, Dd2 and Dd3

SUBMISSION Dd 1

Submitted by:

Mary Coleman
Carrowmoneen

Issue: Revision of Extension to Plan Boundary

Summary: Ms Coleman is satisfied with the deletion of Carrowmoneen from within the Local Area Plan boundary and compliments the Council for having regard to the environmental amenity of the area and for acting in accordance with the wishes of the local residents.

Response: The Council has already taken into consideration the Planning Department's advice not to extend the established plan boundary at the draft plan stage.
Its decision to reduce the Plan Boundary at amended draft stage is welcomed.

Recommendation: Agree the Amended Draft Boundary.

SUBMISSION Dd 2

Submitted by:
Nuala Ryan
Carrowmoneen

Issue: Revision of Extension to Plan Boundary.

Summary: Ms Ryan is satisfied with the deletion of Carrowmoneen from within the Local Area Plan boundary and compliments the Council for having regard to the environmental amenity of the area and for acting in accordance with the wishes of local residents.

Response: The Council has already taken into consideration the Planning Department's advice not to extend the established plan boundary at the draft plan stage.
Its decision to reduce the Plan Boundary at amended draft stage is welcomed.

Recommendation: Agree the Amended Draft Boundary.

SUBMISSION Dd 3

**Submitted by:
Tommie Coleman & Others
Carrowmoneen**

Issue: Revision of Extension to Plan Boundary.

Summary: The five signatories are satisfied with the deletion of Carrowmoneen and Ballymote from within the boundary of the Local Area Plan. They urge that the lands be excluded from the said plan when it is finally adopted.

Response: The Council has already taken into consideration the Planning Department's advice not to extend the established plan boundary at the draft plan stage. Its decision to reduce the Plan Boundary at amended draft stage is welcomed.

Recommendation: Agree the Amended Draft Boundary.

On the proposal of Cllr Connaughton, seconded by Cllr Canney, it was agreed to accept the above recommendations on the amended Draft Boundary in respect of submissions nos., Dd1, Dd2 and Dd3.

SUBMISSION Dd 4

**Submitted by:
Western Regional Fisheries Board**

Issue: Protection of the water quality of the Rivers Clare and Nanny

Summary: New developments adjoining the Clare and Nanny Rivers pose a threat of pollution to water quality and fish life. They should be connected to public sewers, surface waters should be treated so as to ensure that no pollutants enter surface or ground waters. Any public infrastructure projects should not be undertaken during the fish spawning season, and surface water discharges from road should have silt and oil trapping interceptions fitted.

An amenity corridor should be provided along the River Clare and access rights for fishery owners be left unimpeded.
The policy on Tourism promotion should include the aquatic resource and the role of the Fisheries Board.

Response:

The additional areas zoned for development in the amended Draft are distant from the existing public drainage system and it may not be feasible or advisable for them to have individual connections to the public drains. They would have to combine and agree a drainage connection serving all of the sites, or, alternatively, the public drainage system would have to be extended to the sites by the County Council and the costs levied against the proposed development. The details would be a matter for consultation with the development control section before lodging a Planning Application.

In this regard it should be noted that one of the policies, as amended, in 3.4 Natural Heritage, requires consultation with the Regional Fisheries Board in relation to development proposals which may impact on the Rivers Clare and Nanny. This would also apply to public infrastructural proposals which would come before Council Members under part XI of the Planning and Development Act 2000.

The two remaining matters in the submission which deal with an amenity strip and Tourism policy do not relate to any amendment and do not require consideration.

Recommendation:

Insert a policy requiring, where feasible, that infrastructural developments be undertaken at times other than the salmonid spawning season.

On the proposal of Cllr McHugh, seconded by Cllr Canney, it was agreed to insert a policy requiring, where feasible, that infrastructural developments be undertaken at times other than the salmonid spawning season.

SUBMISSION Dd 5

**Submitted by:
Tesco Ireland Ltd
C/O Cunnane Stratton Reynolds**

Issue:

Retail Policies in the Amended Draft.

Summary: This submission is substantially the same as that which was submitted by Tesco to the Draft Plan and it makes this quite clear. The company seeks an opportunity to discuss “general retail matters” with members of the Planning Authority or its representatives in the future.

Response: Members considered the Tesco submission before amending the Draft Plan. There were no alterations proposed to the policies on retail development as it was considered that adequate provision was available within the town centre and an additional commercial zoning at Blackacre and on the Galway Road.

Recommendation: No Change to Amended Draft.

On the proposal of Cllr Canney, seconded by Cllr McHugh, it was agreed not to change the amended draft

SUBMISSION Dd 6

Submitted by:
**Sarah and Alan Marrable
Bracklagh**

Issue: Lands which were unzoned and outside the Draft Boundary to Residential within the amended Draft Boundary.

Summary: Mr, Mrs Marrable live adjacent to the land owned by Archbishop Neary and are objecting to the proposed Residential zoning because housing development on the site would:

- (I). Contravene the current Tuam Plan.
- (II). Be out of character with established housing.
- (III). Impact on road safety
- (IV). In the absence of public drainage be detrimental to water quality
- (V). Exacerbate an already inadequate electricity supply.

Response: As already advised at draft stage there are more than adequate lands zoned for Residential growth without extending the plan boundary into the rural environs of Tuam and encouraging patterns and intensities of development at variance with established one-off

houses and remote from drainage services and safe pedestrian and cycle access.

Recommendation: Maintain existing plan boundary on the Bermingham Road and leave the lands unzoned.

It was proposed by Cllr. McHugh, seconded by Cllr. Reilly to extend the Tuam Plan Boundary and zone the lands for residential as dealt with at the Draft Plan Stage. Cllr. Keaveney stated that he was opposing the zoning of these lands for development.

A vote was taken on the proposal and the result was as following,

For: Cllrs. Burke, Canney, Cannon, Connaughton, Conneely, M. Connolly, Cuddy, Feeney, Hoade, Kyne, McDonagh, McHugh, Mullins, Comh. Ni Fhatharta, O Tuairisg, Cllrs. Reilly, Tierney, T Walsh, Welby, Willers. (20).

Against: Cllrs. Keaveney, An Comh. O Cuaig, (2).

The Mayor declared the proposal carried.

SUBMISSION Dd 7

**Submitted by:
Department of the Environment,
Heritage & local Government**

Issue: They relate to a number of factors including Nature Conservation, Protection of Flood Plains, Archaeological Protection and Residential Zoning.

Summary: The additional residential zoning in the amended draft should be consistent with the County Development Plan Framework and the Regional Planning guidelines. Any zoning adjoining the N17 by pass should not inhibit key infrastructural proposals. There is a welcome for the amended Natural Heritage section which contains additional policies for the protection of wildlife, but inadequate attention has been paid to flood plains and wetlands which contain industrial and residential zoning. The Natural Heritage section does not give adequate attention to the rural parts of the Plan Area and it should include objectives to identify wetlands and flood plains and to carry out a flood study to guide future planning.

It is encouraging that an Area Action Plan is to be prepared for St Mary's and the Mall but Grehans Field should, in the meantime be zoned Recreation and Amenity.

Response:

The Draft Plan showed 180 Hectares of residential zoning. While this would be in excess of the requirements of the County Development Plan settlement framework it would allow a degree of flexibility in promoting development if some lands were not presented for development and it would cater for the growth to the target Hub Population by 2020.

The number of planning applications granted for residential units since the adoption of the County Development Plan is only marginally ahead of the framework allowance. However the Council directed an additional residential zoning of 50% in the Amended Draft, making the plan greatly exceed the settlement objectives of the County Development Plan. This would render the Local Area Plan, if adopted, in conflict with the County Development plan and therefore in conflict with 19(2) of the Planning and Development Act 2000. Since there have been indicators that the route of the N17 bypass may vary from that which was put on public display it has not been possible to show an up-to-date preferred route in the context of the Local Area Plan. There are no maps available of flood plains within the Plan Area. The ordnance survey sheets show areas that are "Liable to Flooding" but are outdated and imprecise. In the light of the predicted increase in water levels, inland and coastal, all development proposals which are adjoining areas which have a history of flooding or which can be described as "wetlands" will have to be examined as to their likely impact on water levels. This can only be done in the context of establishing up to date maps of flood plains so that flood impact assessments can be carried out and remedial measures applied if deemed necessary.

A recent inspection showed an area of land zoned Residential in Curraghreen under water. This would render it unsuitable for building without infilling and consequential disturbance of Flood Plains. Any proposed development in the area would have to be assessed in the context of protecting more widespread flooding of other areas.

Some of the industrial zonings mentioned in the submission are on marshy ground but have had its zoning for many years and are gradually being developed without any apparent adverse effect. The new additional industrial zoning adjoining the Bobby Burke Road is on dry agricultural land.

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It was also agreed to It is not accepted that the "Rural" areas within the plan area have developmental proposals been overlooked. The majority of the policies in the Natural Heritage Section relate to the "Rural" surrounds. In particular the Mr Kavanagh stated four objectives in the section commit the Council to extensive studies and works relating to protection to the environment of the 100m between the N total Plan Area. These projects have never been undertaken by the submission No MA1 Council in the Tuam area up to now. Plan.

On the proposal of Cllr. McHugh and seconded by Cllr. Reilly it was agreed to amend the zoning in the Final Plan from Commercial to Recreation and Amenity. The council decided not to amend the zoning.

Mr Kavanagh also stated that it had already been agreed at draft stage to insert an Architectural Conservation Area for Tuam in the amended Plan but the map for this will be inserted in the final plan. On the proposal of Cllr. McHugh and seconded by Cllr. Canney it was agreed to amend the zoning in the Final Plan from Commercial to Recreation and Amenity. The council decided not to amend the zoning.

Recommendation:

- (I). Reduce the extent of Residential zoning by reverting to the zonings as shown in the original Draft Plan.
- (II). Include an objective to establish the up-to-date flood plains of the Clare and Nanny Rivers within or adjoining the local Area Plan Boundary.
- (III). Include a policy to seek a flood impact statement in respect of development proposals on lands which are marshy or are subject to occasional flooding.

It was proposed by Cllr. McHugh, seconded by Cllr. Reilly not to accept the recommendation in the Manager's Report in relation to item (1) in Submission Dd7. A vote was taken on the proposal and the result was as following.

For: Cllrs. Burke, Canney, Connaughton, Conneely, M. Connolly, Cuddy, Fahy, Feeney, Healy-Eames, Hoade, Keaveney, Kyne, McDonagh, McHugh, Mullins, An Comh. O Tuairisg, Cllrs. Reilly, Tierney, Welby, Willers. (20).

Against: Nil

Abstain: Cllr. D. Connolly, Cllr. Joyce (2)

The Mayor declared the proposal carried.

On the proposal of Cllr. McHugh and seconded by Cllr. Reilly it was agreed to include an objective to establish the up-to-date flood plains of the Clare and Nanny Rivers within or adjoining the local Area Plan Boundary.

Report dated the 18th January, 2005 was circulated to each Member

It was also agreed to include a policy to seek a flood impact statement in respect of development proposals on lands which are marshy or are subject to occasional flooding.

Mr Kavanagh stated that as previously agreed that there was to be a clear distance of 100m between the N17 Bypass and lands zoned residential at Killaloonty. (Re submission No MA11) but that this was not included in the script of the amended Tuam Plan.

On the proposal of Cllr. Canney and seconded by Cllr. Reilly it was agreed to include this in the Final Plan

Mr Kavanagh also stated that it had already been agreed at draft stage to insert the Architectural Conservation Area for Tuam in the amended Plan but the map defining this area was omitted from Appendix 6 in the amended draft. He recommended that this map be inserted in the final plan. On the proposal of Cllr. McHugh and seconded by Cllr. Canney it was agreed to have this map included in the final plan.

On the proposal of Cllr. McHugh, seconded by Cllr. Keaveney, it was agreed to make the Tuam Local Area Plan in accordance with Part 11 of the Planning and Development Act 2000 as amended by Part 111 of the Planning and Development (Amendment) Act 2002,(subject to the amendments above) and which comes into effect immediately.

Mr Ridge stated that an Irish version would be available as soon as possible.

AGREEMENT IN ACCORDANCE WITH SECTION 85 OF THE LOCAL GOVERNMENT ACT, 2001 BETWEEN GALWAY COUNTY COUNCIL AND CLARE COUNTY COUNCIL – N18 GORT TO CRUSHEEN. 288

A Report was circulated to each Member.

On the proposal of Cllr. Willers, seconded by Cllr. Feeney, it was agreed than an Agreement under Section 85 of the Local Government Act, 2001 be entered into between Galway County Council and Clare County Council for the construction of the N18 Gort to Crusheen project, whereby Galway County Council will continue to perform all powers and functions necessary to achieve the completion of the project, including the making of Compulsory Purchase Orders, the acquisition of lands, the compliance with all statutory or regulatory requirements, the appointment of contractors, the execution of contracts, the payment of accounts and the recoupment of the costs of the schemes.

Cllr. Mullins asked if Item No. 17 could be brought forward to be discussed at this point and this was agreed.

FILLING OF CASUAL VACANCY ON THE GALWAY HARBOUR BOARD COMMITTEE. 289

Report dated the 18th January, 2005 was circulated to each Member

On the proposal of Cllr Mullins, seconded by Cllr McDonagh it was agreed that Cllr. Sean Kyne replace Cllr. J. Tierney on the Harbour Board Committee

AGREEMENT IN ACCORDANCE WITH SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 BETWEEN GALWAY COUNTY COUNCIL AND GALWAY CITY COUNCIL – GALWAY MAIN DRAINAGE STAGE 3 290

Report dated the 18th January, 2005 was circulated to each Member.

On the proposal of Cllr Hoade, seconded by Cllr. Keaveney, it was agreed to allow Galway City Council to act as lead authority and exercise the functions, powers and duties of Galway County Council in the preparation of the Preliminary Engineering Report for the Galway Main Drainage Stage 3 in respect of those areas located within the functional area of Galway County Council

GALWAY MAIN DRAINAGE STAGE 3 – PRESENTATION BY PATRICK J. TOBIN & CO. LTD., CONSULTING ENGINEERS. 291

The Mayor welcomed Mr. Paraic Fogarty of P.J. Tobin & Co. Ltd., who was going to make a brief presentation on the above. He also welcomed Mr. Tom Herson, DOS, Water Services, Galway City Council and Mr. Ray Brennan, S.E.E., Water Services, Galway City Council. Mr. Fogarty briefly outlined the purpose of the scheme and gave a slide show to accompany the presentation. The Mayor thanked Mr. Fogarty for the presentation.

Cllr. Joyce said he welcomed the presentation and said it set out clearly what was proposed. He said this was a good idea for the area it proposed to service, but stated that all of the County Council's and City Council's time, energy and funds was all going to be spent on promoting the City and environs. He said from his experience over the past 30 years his fear was that the peripheral areas of County Galway which were further away from the city would get less. He said he needed a guarantee that the same effort will be made for schemes for the peripheral areas as will be for this proposal. The Mayor said he understood how important it is for the City and Environs to get waste water facilities but not at the expense of the rural areas. Cllr. Cuddy asked what areas would be serviced in the Oranmore Area, would it cover Clarenbridge and Claregalway. Cllr. Keaveney said it was important that schemes in county areas get approval to proceed to enable development to occur. Cllr. Mullins welcomed the concise and detailed presentation and said he understood the importance of continued investment. He said he shared Cllr. Joyce's sentiments that the East of the County were only getting the crumbs from the table, and that Ballinasloe is taking all the hits. He said he wanted to see significant investment in infrastructure in the East of the County. Cllr. Feeney said while balanced developments has to be the cornerstone of planning and development strategy, he can't understand why we have to plan for a large population in Ardaun when they could be spread out in centres around the County and build a county that is sustainable. Cllr.

Connaughton said while any investments in water services has to be welcomed, she feared the further from the City you go it seemed slower to get investment in water and sewerage services.

Mr. Gavin said he would like to assure Members that every effort would be made to ensure that Galway County gets infrastructure and development throughout the County. He said the Council would try to fulfil the objectives contained in the Water Services Investment Programme for 2004-2006. He said the Council will work with the Department of the Environment to try and advance schemes in towns and villages. He said Clarenbridge was covered within the Study Area. In relation to the area East of Galway City he said we need to plan for Athenry and Oranmore and the future likely expansion of these areas. He said there will be a Preliminary Report prepared in the next few months which will be brought back to the Council. The County Manager reiterated the Council's commitment to the Water Services Investment Programme 2004-2006 for the County.

TO CONSIDER REVIEW OF RECORD OF PROTECTED STRUCTURES. 292

It was agreed to defer this Item to the Special Meeting to be held on the 14th February, 2004

RESOURCE RECOVERY PARKS – PRESENTATION BY DR. NIAMH CLUNE.
293

The Mayor introduced Dr. Niamh Clune, and apologised for the delay before she could give her presentation on Resource Recovery Parks and "Wealth from Waste".

Dr. Clune gave a very interesting talk and presentation on the above. She thanked the Council for allowing her this time. Cllr. Mullins proposed that the Director of Services examine this document and give feed back to the SPC. This was seconded by Cllr. Keaveney. The Mayor thanked Ms. Clune for the presentation and agreed that the SPC of the County Council should liase with the SPC in the City Council. Cllr. Joyce made the point that the Connacht Waste Management Plan officially stated that there was no money in recycling and he asked had that picture changed recently.

Mr. Gavin thanked Ms. Clune and informed the Members that this will be brought to the SPC and that he would prepare an issues paper for discussion at that Meeting.

MANAGER'S BUSINESS 294

Mr. Farrell informed the Members that a NASC Partnership E.U. Briefing is to be held in Brussels on the 2nd and 3rd March. He said that two Members could attend and it was agreed to nominate these at the Special Meeting on the 14th February, 2005.

MAYOR'S BUSINESS 295

Cllr. Feeney referred to the forthcoming report on the Western Rail Corridor. He said he felt it would be beneficial if the Council reaffirmed its commitment to support the Western Rail Corridor. He proposed that the Council issue a letter of support to the Minister for Transport and the Western Inter County Railway Committee, this was seconded by Cllr. M. Connolly.

SPEED LIMIT SIGNS

The Mayor indicated that some Members wished to discuss the new speed limit signs which had been erected throughout the County.

Cllr. McDonough said he welcomed the new metrication of speed limits and said it was part of modern life, and this was agreed by all Members, but he said he had some issues with the speed limits that had been erected on Boreens and Cul-de-Sacs. He said there was a danger that signs on these roads could encourage people to drive too fast. He also referred to Speed Limits outside schools and asked that Bye Laws be introduced as soon as possible to regulate speed limits outside schools. Members pointed out that some schools were located on National Primary and National Secondary Roads and cars were speeding by. All Members were in agreement with the above and said there should be increased awareness now regarding speed.

Luaigh an Comh Ó Cuaig gur dúradh leis ag an gcuinniú Coiste Polasaí Straitéiseach go bhféadfaí athbhreithniú a dhéanamh ar na Comharthaí agus go bhféadfaí comhairliúchán phoiblí cheart a dhéanamh. Luaigh an Comh. Ó Cuaig go raibh pobal Inis Mór in Árann an mhí shásta leis na comharthaí luais a cuireadh suas ar bhóithrí cúng agus caol an oileáin agus gur pléadh an scéal ar Raidió na Gaeltachta. Deir sé gur dhúirt urlabharáí ar son na Comhairle ar RnaG go bhféadfaí athbhreithniú a dhéanamh ar an scéal agus d'iarr an Comh. Ó Cuaig an bhféadfaí é seo a dhéanamh ag an gCPS.

Cllr. Joyce said that the driver of a vehicle is responsible for speed and that due care on the road is a basic requirement. Cllr. Fahy said that Flashing Lights had been erected outside of schools to slow down traffic. Now he said cars were speeding by when lights were flashing. Cllr. Cuddy said speed should be reduced at schools from 8.30 a.m. to 9.30 a.m. and from 1.30p.m. to 3.30p.m. during school hours, he also suggested that off street parking should be provided for the dropping off and picking up of children. This was supported by Cllr. Welby. Comh. O'Tuairsg said that a higher speed limit would be appropriate on certain stretches of the Cois Fharrage Road. Cllr. Connolly said that there had been a reduction in speed throughout the County, but that speed limits in Cul-de-Sacs, Boreens and narrow roads should be revisited and reviewed. Cllr. Hoade suggested writing to the N.R.A with regard to speed limits at a number of National Schools located on National Primary and National Secondary Roads she referred to the Coldwood School on the N6 in particular.

The County Manager commented that if debate in this Council, or nationally helped in changing driver behaviour, then that would be good. He stated that a speed limit is a

limit, not an instruction to drive at that speed, and that Galway County Council has been very proactive since the changeover. Staff had undertaken a huge programme of work and delivered on time. He said he was awaiting Regulations to allow the question of special speed limits to be addressed.

Mr Morgan informed the Members that the Act dealing with the metrication only became available on the 24th January, 2005. It converted all existing speed limits, but it did not provide for changes or for moving speed limits. The general speed limit no longer existed and that is why signs had to be erected in many areas including boreens, cul-de-sacs etc. He informed the members that permission would have to be got from the N.R.A. in relation to any signs on National Roads. He said that the Council will be examining the issues in relation to schools, and said he hoped this would happen quickly. He said the new legislation now provided for limits at specific times to facilitate school hours. He then referred to the situation on the Aran Islands and said that specific/special conditions may apply and that this would have to be examined. He informed the Members that a certain process has to be followed to enable the review of limits to occur e.g. consultation with Gardai etc. He said all of these matters would be brought before the Roads and Transportation SPC for discussion. The Mayor agreed that it would be appropriate to discuss all of these issues at the SPC Meeting and come back with proposals.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 23 – CLLR. C. CANNON – ROADS 296

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.”

NOTICE OF MOTION NO. 24 – CLLR. C. CANNON – ROADS 297

The following reply was given:-

“C.I.E. provided their revised drawing for the Railway Bridge on the Tuam Road access to Athenry. The estimate for this bridge proposal is €1.5million. A further 3 bridges are in need of attention and at that rate for improvements would require further funding in the region of €4.5million. This level of funding is not available and other proposals are now being examined in relation to sections of the Outer Relief Road. A Compulsory Purchase Order has been made to acquire the lands necessary for the construction of the Inner Relief Road. An Oral Hearing relating to this took place on 20th January 2005 and the decision of An Bord Pleanála in the matter is awaited.”

NOTICE OF MOTION NO. 25 – CLLR. C. CANNON – WATER SERVICES 298

The following reply was given:-

“I wish to advise that the last commissioned waster water treatment plant was moycullen. The plant was commissioned in June 2002.”

NOTICE OF MOTION NO. 26 – CLLR. S. CONNAUGHTON – ROADS 299

The following reply was given:-

“The development of the riverside walk in Dunmore should only be considered in the context of a Development Plan for Dunmore. Adequate resources to satisfactorily complete the development would be an absolute requirement having regard to hazards associated with the proximity of the river. In the absence of any such plan any approaches to landowners would be premature and would not be in the best interests of Galway County Council.”

NOTICE OF MOTION NO. 27 – CLLR. J. CUDDY – G.P. 300

The following reply was given:-

“Galway County Council is working in Partnership with the Oranmore Development Association for the provision of recreation and amenity facilities in the area and will continue to do so.

Following adoption of the Local Area Plan for Claregalway, the Council will be examining the acquisition of lands to facilitate recreation and amenity development as in the case of Oranmore. It would be intended to take a community based partnership approach to the development of facilities having regard to available funding.”

NOTICE OF MOTION NO. 28 – CLLR. J. CUDDY – ROADS 301

The following reply was given:-

“It is policy that any available funding for footpaths in Oranmore village be utilized for repair/improvement/provision of same within the speed limits.”

NOTICE OF MOTION NO. 29 – CLLR. J. CUDDY – ROADS 302

The following reply was given:-

“This matter will be discussed with the National Roads Authority and will be considered in the light of any future developments in the area in consultation with the National Roads Authority.”

NOTICE OF MOTION NO. 30 – CLLR. M. FAHY – ROADS 303

The following reply was given:-

“(1) Maintenance works will be carried out at Curranrue Bridge in the coming weeks. (2) The issue of raising the road to prevent flooding on the Shanclogh road will be examined and a report will issue.”

NOTICE OF MOTION NO. 31 – CLLR. M. FAHY – ROADS 304

The following reply was given:-

“This footpath is adjacent to the N18 and therefore funding issues from National Roads Authority. There is no indication that funding would be made available for this work in 2005.”

NOTICE OF MOTION NO. 32 – CLLR. M. FAHY – ROADS 305

The following reply was given:-

“This matter was raised at the last Loughrea Electoral Area Meeting 15th December and it was agreed to have a report on this for the next Area Meeting.”

NOTICE OF MOTION NO. 33 – CLLR. F. HEALY EAMES – PLANNING 306

The following reply was given:-

“(1) Building Control Section monitor the Building Legislation in particular the Building Regulations. We inspect a minimum of 15% of all notified new construction. (2) A live test is not carried out as it is not considered necessary. Compliance with the regulations is in itself an assurance that the development complied with the wheelchair access standards.”

NOTICE OF MOTION NO. 34 – CLLR. F. HEALY EAMES – ROADS 307

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the Strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.”

NOTICE OF MOTION NO. 35 – CLLR. F. HEALY EAMES – ROADS 308

The following reply was given:-

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the Strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.”

NOTICE OF MOTION NO. 36 – CLLR. P. HYNES – ROADS 309

The following reply was given:-

“The road in question straddles the Loughrea and Gort Engineering Areas. A report will be prepared before the next Loughrea Area Meeting.”

NOTICE OF MOTION NO. 37 – CLLR. P. HYNES – ROADS 310

The following reply was given:-

“The flat road surface in St. Brendan’s Court allows the ponding of surface water but there is no danger of this ponding water flooding any house. The insertion of a road gully and pipes to the nearest gully could alleviate the ponding and the estimated cost of this work is €500.”

NOTICE OF MOTION NO. 38 – CLLR. P. HYNES – ROADS 311

The following reply was given:-

“Routine maintenance will be carried out but there is no funding available at present for reconstruction works on the local roads in Shragh and Clondadauv.”

NOTICE OF MOTION NO. 39 – CLLR. J. JOYCE – WATER 312

The following reply was given:-

“The County Council has approved upgrading grants to enable the connection of this scheme to the public supply via the Kiltormer Group Water Scheme. The works can proceed once the normal tendering processes are complete.”

NOTICE OF MOTION NO. 40 – CLLR. J. JOYCE – ROADS 313

The following reply was given:-

“The Council will continue to designate funding for the replacement and upgrading of footpaths in the Ballinasloe East Engineering Area, having regard to available resources.”

NOTICE OF MOTION NO. 41 – CLLR. J. JOYCE – ROADS 314

The following reply was given:-

“This matter will be considered in the future Roadworks Programmes having regard to available funding for this type of works.”

NOTICE OF MOTION NO. 42 – CLLR. S. KYNE – ROADS 315

The following reply was given:-

“This will be included in the Roadworks Programme for 2005.”

NOTICE OF MOTION NO. 43 – CLLR. S. KYNE – ROADS 316

The following reply was given:-

“This road the Lettergesh road runs along the shores of the lakes mentioned for a length of approximately 1 mile. The cost of the provision of low wall or an appropriate safety barrier would be in excess of 200,000 which is not available at present. Signage will be reviewed to highlight the hazard.”

NOTICE OF MOTION NO. 44 – CLLR. J. MCDONAGH – ROADS 317

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the Strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.”

NOTICE OF MOTION NO. 45 – CLLR. J. MCDONAGH – ROADS 318

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the Strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.”

NOTICE OF MOTION NO. 46 – CLLR. C. NI FHATHARTA – ROADS 319

The following reply was given:-

“Nil aon mhaoiniú ar fáil don obair seo faoi íáthair, cé go leanóidh muid orainn á chothabháil chomh maith agus gur féidir linn I láthair na huaire. Má tá úinéirí talon sásta taitle a shíniú anon chugainn is féidir linn pleanáil don tráth go mbiomn maoiniú ar fáil.”

NOTICE OF MOTION NO. 47 – CLLR.C. NI FHATHARTA – ROADS 320

The following reply was given:-

“Tá tionscadal fhorbartha an chalafoirt ag An Caladh Mór/Cora Chaladh á bhrú chun cinn ag na hinnealtóirí Comhairleach R.P.S. Kirk McClure Morton Trí R.T.T.(E.I.S.), riachtanais reachtúla pleanála agus fhorchladaigh. Táthar ag fanacht ar chinneadh ón mBord Pleanála. Tá Comhairle Chontae na Gaillimhe ag súil gur féidir leo R.P.S. Kirk McClure Morton a cheapadh don chéad chéim eile den tionscadal a bhaineann le dearadh agus doiciméid conartha.”

NOTICE OF MOTION NO. 48 – CLLR. C. NI FHATHARTA – G.P. 321

The following reply was given:-

“Aithníonn an Comhairle an gá atá glacadh le ‘Dearbhú Bharcelona’ agus táthar ag súil go dtosófar ar an phróiseas glacadh leis agus a chuir I bhfeidhm a luaithe agus is féidir.”

NOTICE OF MOTION NO. 49 – CLLR. T. WELBY – ROADS 322

The following reply was given:-

“Future reviews of speed limits will be governed by the Road Traffic Act 2004. The implications of the new legislation will be considered by the Strategic Policy Committee and a report on the matter will be brought forward for consideration by the Council.

The Provision of a continuous white line will be examined in the context of a review of schools at a later point in 2005. It should be remembered that the provision such continuous white lines creates an illegality for crossing the roadway to and from the school.”

NOTICE OF MOTION NO. 50 – CLLR. B. WILLERS – HOUSING 323

The following reply was given:-

“A Community facility for the residents of Fahy Gardens, Laurences fields, St. Brendan’s Court, Tulla Hill has already been provided by Respond and all the above communities have access to this facility. It is also intended to extend the facility to the proposed development at Cossarrig.”

NOTICE OF MOTION NO. 51 – CLLR. B. WILLERS – ROADS 324

The following reply was given:-

“The first item in relation to the regulation of Traffic Speed is a matter for the Gardai. The second item in relation to a pedestrian crossing will be examined in the next few months. The provision of such a facility will require a Safety Audit and an allocation from the National Roads Authority in order to provide same. At present funds are not available for the provision of such a facility.”

CRIOCHNAIGH AN CRUINNIÚ ANSIN

Submitted, Approved & Signed

Wille Burd

28.02.05
Date

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