

Note:

3. In cases where the site provided is not as central or suitable as required under the Plan or where a higher density than is specified in the Plan is permitted, then a greater proportion of the lands may need to be provided for the delivery of community facilities and amenities.
4. In cases where strategic sites or major facilities are provided for the local community, GCC may consider increased densities and a greater mix of uses, as appropriate to this new focal point in the Plan Area and in accordance with proper planning and sustainable development. An example of where this might be considered includes site option 1, 2 or 3 for a new school.

The Planning Authority will require developers/applicants to enter into legally binding agreements securing the agreed lands, to the requirements of the Planning Authority. Landowners and developers will be encouraged to undertake pre-planning discussions with the Planning Authority in order to identify opportunities for providing suitable sites and/or facilities and to work towards the necessary agreements on how these will be delivered.

The use of Master Plans will also be required with all large development proposals to show the locations, nature and scale of development and the manner in which appropriate types and locations of community facilities and amenities are to be delivered. Landowners will be encouraged to work together to submit group proposals for aggregated land parcels that provide optimum solutions to the provision of community facilities and amenities balanced against an appropriate level, layout and design of development.

The Planning Authority may consider the contribution of other lands that do not form part of the development site but which are under the control of the applicant, provided it is considered by the Planning Authority to be in an appropriate location in the Plan Area for the delivery of well-located, accessible facilities and that legally binding agreements are put in place, to the requirements of the Planning Authority. This will be calculated at a similar level to that which applies to the development site (excluding the 10 to 15% required for internal open space) where it is in a suitable location or at a higher scale where the location is not as central or suitable as the development site.

The use of financial contributions will only be considered where the Planning Authority is satisfied that appropriately located lands cannot be delivered and/or assembled and it is in the interests of proper planning and sustainable development. This financial contribution will generally be calculated on the basis of a minimum of 15% of the market value of the lands for which permission is being applied assuming that it has the benefit of planning permission. Any financial contributions generated under this scheme will be ring-fenced as part of a local fund to provide lands for community facilities, or as otherwise considered necessary by the Planning Authority, within the Bearna Plan Area. Appropriately located, designed and landscaped internal open space will still be required within development sites in accordance with applicable policies, objectives and guidelines.

On the proposal of Cllr Mullins and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report.

2.12.3 Sub-Issue 12B – Compensation for Land/Impact on Landowners

Submitted By:

- No. 30 – Eddie & Ruth Fegan
- No. 31 – Michael & Margaret Davoren
- No. 53 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 86 – Betty Kilbane
- No. 94 – Peter & Michele Connolly

Summary:

The main issues raised have been summarised as follows:

- A number of submissions from landowners and residents state that landowners whose land is allocated for facilities or amenities should be adequately compensated for the value of their land.
- A number of submissions from landowners request that community facility site options be removed from their lands given the loss of development land, impacts on their ability to build housing, etc.
- The Coiste Pobal Bhearna submission states that the LAP will penalise the community of landowning families in Bearnna as they will have to provide the land and/or money for community facilities and amenities in the interests of 'common gain', restrictive planning conditions will also not allow most of them to build second family homes or to sell sites and zoning of land for future school and sports uses will effectively freeze the use of the land until a final school or sports site is chosen. The net effect of the above is that the land is greatly devalued and the owners are therefore at a severe financial disadvantage. What is considered as being for Bearnna's "common gain/good" must always suit the newly arrived resident of the area and thereby neglects the rights of those pre-existing Bearnna families who have lived there for generations. The LAP is merely a capitulation to the views of the objector group Pobal Bhearna and rides roughshod over the rights of the native community of landowning families.

Response:

The issue in relation community facility sites and other objectives in the LAP that affect landowner's lands have been dealt with under Sub-Issue 7G and 5A above.

The specific concern raised in relation to compensation for land allocated for community facilities and amenities is an issue that has been considered in the LAP. Part of the reasoning behind the approach taken in the LAP whereby mixed use zones are established and various site options are provided for the delivery of community facilities is in order to avoid penalising an individual landowner who might have had their entire landholding zoned for community use whereas an adjacent landowner would benefit from a residential zoning. The LAP encourages landowners to work together to submit group proposals for consolidated blocks of lands where landowners can get share the cost of providing such lands and receive an equitable that can achieve a balance between the delivery of key community facilities and amenities, the achievement of a good level of development. The LAP also provides mechanisms whereby developers can provide lands in other locations than the development site to satisfy their development contribution requirements to provide greater flexibility and to ensure that lands can be assembled in appropriate locations for facilities. These elements all form part of the contribution scheme set out in the LAP and are intended to ensure that a system is in place that provides a greater level of equity in the contribution of lands and/or funds to provide community facilities or amenities.

Recommendation:

No change recommended. Sub-Issue 12A above sets out refinements proposed to the contribution scheme sections of the LAP.

On the proposal of Comh Ní Fhartharta and seconded by Comh O'Tuairisg it was agreed to accept the recommendation in the Manager's Report.

2.12.4 Sub-Issue 12C – Delivery and Implementation (General)

Submitted By:

- No. 47 – Aidan Donnelly
- No. 48 – Enda Folan (Pobal Bhearna)
- No. 104 – Brian Kenny (DoEHLG – Spatial Policy)

Summary:

The above submissions raise issues regarding the

- The Barna Co-op submission notes that the LAP should include details on processes, programmes/timetable, staging, priorities and funding sources to deliver public infrastructure and services projects identified in LAP. GCC resources and capital works budget should be targeted to deliver projects that achieve the LAP outcomes.
- The Pobal Bhearna submission states that the LAP requires an implementation plan that outlines the specific action points required before development can proceed. LAP provides no guarantees that amenity gains will accrue from future benefits.
- The DoEHLG states the LAP very much dependent on landowners working together with GCC and support of residents and community groups and will require significant commitment from all parties, which will be time consuming and demanding. May also be legal difficulties with approach to provision of social infrastructure. GCC should give careful consideration to significant challenges in implementing proposed growth strategy as set out in LAP. Implementation of LAP would need to be closely monitored and updated as appropriate to ensure that village grows in a manner that is appropriate to character of village and protects its natural heritage and amenity and is also responsive to the needs of the community.

Response:

The LAP has responded to the public consultation process undertaken in Bearna and supports the provision of a significant number of community facilities and amenities to serve the growing population in Bearna and to support the various sports activities within the Plan Area. The LAP provides a considerable level of detail with regard to these facilities, including the sites considered, criteria for selecting the optimum sites, the requirements for each type of facility, etc. The LAP also includes an Integrated Development and Community Gain Scheme (Section 4.2.1) intended to deliver lands for facilities in suitable locations and provides details of specific projects required to support the provision of these facilities (Section 4.2.3).

It is, however, beyond the scope of a local area plan to provide detailed cost estimates for acquiring funds/lands and ensuring the delivery of facilities or amenities. This is dependent on the level of development that occurs and the resources available to GCC to implement projects or purchase lands and will occur on an incremental basis over time as the village grows and develops.

It is considered essential to include the various site options identified to provide a range of opportunities for providing these facilities to ensure delivery and to avoid penalising an individual landowner and instead spreading the cost (and benefit) of providing lands and/or funds for facilities. The willingness indicated by certain landowners to providing lands for facilities will need to be pursued on an ongoing basis to identify opportunities and progress proposals.

The LAP explicitly states under Section 4.2.1 that: *Any financial contributions will be ringfenced as part of a local fund to provide lands for community facilities, or as otherwise considered necessary by the Planning Authority, within the Bearna Plan Area.* This will ensure that contributions raised within the Bearna area will be invested back into the area. Nonetheless, the contribution scheme in the LAP would benefit from greater clarity and it is recommended that the wording of this section be refined.

Recommendation:

It is recommended that the wording of the contribution scheme be refined, as proposed under Sub-Issue 12A above.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13 Issue 13 – Strategic Environmental Assessment

2.13.1 Issue 13 – General

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)
- No. 26 – Kevin Rodgers (WRFB)
- No. 48 – Enda Folan (Pobal Bhearna)

Introduction:

The above submissions refer directly to the SEA undertaken for Bearnna and the Environmental Report prepared as part of the preparation of the LAP. A submission from the Western Regional Fisheries Board (WRFB) does not mention the SEA Environmental Report but it does refer to various water quality issues. Input has also been received from the EPA regarding the SEA Environmental Report and these have accordingly been considered under this issue.

There are also a significant number of submissions that propose changes to the land use designations, community objectives and/or density and design guidelines in the LAP, generally in relation to an increase in the development potential of lands and the removal of community facility site options. The broad, cumulative impact of these proposals would also have implications for the SEA for Bearnna and these proposals have accordingly also been considered under the relevant sub-issue below.

The above submissions (direct and indirect) have been considered and are summarised below. An Addendum has been prepared to the SEA Environmental Report summarising the relevant submissions received in relation to the SEA and providing recommended responses, as required under the SEA Directive and Regulations. The main findings of the Addendum have been included below and the matrices used to determine whether an appropriate assessment is required of the LAP under the EU Habitats Directive is included under Appendix 6 of this Manager's Report.

2.13.2 Sub-Issue 13A – DoEHLG Submission

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

The submission from the DoEHLG is critical of the SEA and raises a number of concerns regarding inadequate consideration of various legal, coastal, water quality and information gap issues in relation to the protection of the local environment in Bearnna and the designated sites on the edges of the Plan Area.

The specific issues raised by the DoEHLG have been addressed under Sub-Issue 13AA to 13AK below.

2.13.3 Sub-Issue 13AA – Appropriate Assessment

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

There is a need to subject the draft plan to an appropriate assessment in line with requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC). This assessment is required to determine if the plan on its own, or in combination with other plans and projects, is likely to have significant effects on any Natura 2000 site (cSAC or SPA). This is required as a separate report in this case, in addition to the ER. Guidance on the application of Article 6 is available from the Commission¹. The plan may only be authorised if it will not adversely affect the integrity of any Natura 2000 sites (cSACs and SPAs).

Response:

The Draft LAP has been evaluated to see if it needs to be subject to an *appropriate assessment*. In accordance with the *Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, a *screening matrix* and a *finding of no significant effects matrix* have been completed. They find that the Draft LAP does not require an appropriate assessment. Copies of both are appended to this Report.

The principal trigger for an appropriate assessment would be if the LAP were likely to have significant effects on a Natura 2000 site. SACs and SPAs are Natura 2000 sites.

Recommendation:

No updating of SEA Environmental Report required.

On the proposal of Comh Ni Fhartharta and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report.

2.13.4 Sub-Issue 13AB – Baseline Ecological Conditions

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

Baseline ecological conditions of the plan area, including habitats and land cover, are poorly established in the ER. Available data on land cover (CORINE), habitat indicator mapping (FIPS) and soils/subsoils (FIPS) have not been used. While Map 2 of the ER is entitled 'Biodiversity, Flora and Fauna', it shows only the nature conservation designations. Habitat mapping is available for the coastal strip of the plan area but is not included in the ER. It is shown in the draft LAP.

Response:

CORINE land cover data shows that the LAP area is classified as *Lands Principally Occupied by Agriculture with Areas of Natural Vegetation, Discontinuous Urban Fabric, Transitional Woodland Scrub, Peat bogs* and a small piece near the South Eastern corner is classed as *Coastal Lagoon*. This concurs with the baseline environment description in the ER which describes the land cover of the areas under the various prescribed headings. It also broadly concurs with the coastal habitat study (see below) which provides a detailed description of the coastal habitats.

The Forestry Service of the Department of Agriculture were contacted with regard to FIPS mapping and identified that there was no such data available for most of plan area and therefore this data was not used. The available FIPS data for the LAP area identifies one small coastal field as being of *Unknown* forest classification. The significant presence of *Blanket Peat* to the North and North West of the LAP area is described in Section 3.2 of the ER.

¹ European Communities. 2000. *Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC* and European Communities. 2002. *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

The coastal habitat study included in the Draft Plan² significantly informs the Biodiversity, Flora and Fauna section of the ER, and is cited through the text. While the mapping provided in the habitat study provides a detailed description of the coastal habitats, it is too detailed to be useful for Strategic Environmental Assessment. In addition to the summary of the information in the study which is already included in the ER, however, the ER is to be updated for additional information purposes in order to include the coastal habitats study map (see below).

In addition it is noteworthy that the DEHLG Guidelines on the implementation of the SEA Directive³ provide the following direction on the level of detail for data to be used in SEAs.

4.14 It is accepted that the compilation of environmental data, particularly at a scale relevant to the area of the plan, may be problematic. Authorities should identify and tap available data sources, rather than undertake major new data collection. Where information gaps are identified, the plan-making authority should consider how those gaps might be addressed in the future.

4.15 Depending on the nature and scale of the plan, some or all of the following baseline data may be relevant:

- *Location and type of protected areas (Special Areas of Conservation, Architectural Conservation Areas, etc.) and Protected Species: and the extent to which they are experiencing, or are likely to experience, development-related pressures.*
- Etc.

Recommendation:

It is recommended that the SEA Environmental Report be updated as follows:

Rename Map 2 as: *Areas of Proposed and Designated Ecological Sites adjacent to Bearna.*

Include the Coastal Habitat Study Map in Section 3.2.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.5 Sub-Issue 13AC – Designated Sites and Plan Boundary

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

The ER fails to show the plan area boundary relative to sites with nature conservation designations in and surrounding the plan area. Map 2 of the ER does not show the plan boundary.

Response:

Map 2 of the ER shows the boundaries of designated nature conservation sites. Maps 6 to 9 show the extent of the Plan area.

Recommendation:

² O'Riordan, E. (2006) *Coastal Habitat Study of Bearna* Galway: Galway County Council

³ Department of the Environment, Heritage and Local Government (2004) *Implementation of SEA Directive (2001/42/EC): Guidelines for Regional Authorities and Planning Authorities* Dublin: Government of Ireland. Section 4.8

It is recommended that the SEA Environmental Report be updated as follows:

Include a map in Section 3.2 showing the 'Preferred Plan Area relative to Designated Nature Conservation Sites in and surrounding the Plan Area', as below.

Include reference to a new figure that shows the LAP area and immediate environs along with all designated nature Conservation areas.

Include reference to 2 new figures which show the LAP area in context of adjacent Natura 2000 sites, one for the Galway Bay Complex cSAC (and pNHA) and the other for Inner Galway Bay SPA.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.6 Sub-Issue 13AD – Moycullen Bogs pNHA

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

The plan area includes part of Moycullen Bogs NHA⁴ (site code 2364) in the northwest; in no part of the ER is this made clear.

Response:

Section 3.2 of the ER includes the Site Synopsis for this NHA. Section 7.2.1 (page 63) states: *All four Development Alternatives would be likely to have conflicting interactions with the status of SEO B1 as an area of the Moycullen Bogs (pNHA) is located within Development Areas which allow for the provision of sports facilities as well as allowing local housing need in certain circumstances.*

Recommendation:

The map referred to under Sub-Issue 13AC above will show the extent of the Draft LAP area relative to designated nature conservation sites and the overlap with the Moycullen Bogs pNHA.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.7 Sub-Issue 13AE – Data Deficiencies

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

Data deficiencies and gaps clearly exist in relation to biodiversity, flora and fauna of the plan area but are not recognised or acknowledged in the ER, contrary to the DoEHLG guidelines (2004).

Response:

Under Section 2.9 *Difficulties Encountered* it is stated that *Gaps in the available environmental baseline data for Bearna with regard to biodiversity, flora and fauna were identified. This section also details how these gaps were partly overcome.*

⁴ This is a designated and legally protected Natural Heritage Area, established under S.I. 584 of 2005

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.8 Sub-Issue 13AF – Legal Aspects

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

Generally, the text in the ER on legal aspects of nature conservation and site protection is poor and is technically incorrect in many cases. It requires full revision to accurately reflect the legal issues of relevance to the plan. The obligation to consider and assess indirect and cumulative impacts on sites with nature conservation designations, particularly Natura 2000 sites (cSACs and SPAs), is also, poorly reflected in the plan.

Response:

Sections 1.3 and 2.8 of the ER discuss legislative requirements for SEA. It is unclear which legal aspects are referred to in the submission. The specific reference to the coverage of impacts on Natura 2000 sites is noted and is addressed by the proposed update to the ER that is set out below.

Recommendation:

It is recommended that the SEA Environmental Report be updated as follows:

Add the following paragraphs at the end of Section 1.3:

Article 6(3) of the EU Habitats Directive requires *appropriate assessment of implications of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects ... in view of the site's conservation objectives.* Natura 2000 sites include SPAs and SACs. Specific guidance on such appropriate assessment is given in:

- European Communities. 2000. *Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC;* and
- European Communities. 2002. *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.*

Section 2.3 describes the appropriate assessment in the case of this plan.

Add the following paragraph to Section 2.3:

The Draft Local Area Plan has been evaluated to see if it needs to be subject to an *appropriate assessment.* In accordance with the *Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC,* a *screening matrix* and a *finding of no significant effects matrix* have been completed. They find that the Draft Plan does not require an appropriate assessment. Copies of both are appended.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.9 Sub-Issue 13AG – Coastal Habitat/Ecosystem Structure

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

There is a failure to identify important aspects of habitat/ecosystem structure and function along the coastline, including in relation to coastal protection and coastal flooding. The storm beaches or stony banks are elevated ridges that form part of the coastal defences. Behind these, drainage is usually poor as outfalls are obstructed and run-off is impounded. Accordingly, wetlands of some sort are common behind the storm beaches or stony banks where water levels probably fluctuate with rainfall, high tides and storm conditions.

In addition to the natural coastal defences, wetlands behind the banks/ridges also require protection; the 30m set back distance for development is questioned and other factors and may need to be taken into consideration to prevent the future need for expensive coastal defences to protect new development. Also, the drowned or inter-tidal peat deposits in this area (visible at low tide at Silverstrand) clearly indicate that this is an area of rising sea levels.

Response:

The findings of the coastal habitat study carried out for Bearna (O’Riordan, 2006)⁵ significantly inform this section of the ER. Further identification of habitat/ecosystem structure and function will not influence the findings of the ER.

With regard to the 30m setback distance it is acknowledged that other factors may need to be taken into account and the mitigation measure (MM8) to which this setback relates is to be updated, as detailed below.

The wetlands / area of salt marsh near Silver Strand are protected by three mitigation measures recommended by the SEA:

MM3 (as updated by the EPA submission): *a) Planning applications within the field to the southeast of the village centre and adjacent to the old shellfish holding area must be accompanied by: an ecological assessment which takes account of direct and indirect effects of the development on habitats, species and ecological connectivity, and; b) It is recommended that any future Coastal Zone Management study examine the effects of flooding on the Saltmarsh area to the west of Bearna*

MM8: (see below as updated).

MM12: *Protect the coastal edge and coastal habitats from destruction and degradation to ensure that their roles as ecological corridors, coastal flooding and storm surge buffers are retained and enhanced and request that developers proposing developments in the vicinity of this area be requested to carry out an ecological survey and submit an ecological plan that incorporates the natural vegetation and topography of the area.*

In addition, all other wetlands within the plan area are protected by MM8 and MM12.

Recommendation:

Include under Section 3.2.2 The Shore:

The storm beaches or stony banks are elevated ridges that form part of the coastal defences. Behind these, drainage is usually poor as outfalls are obstructed and run-off is impounded.

⁵ O’Riordan, E. (2006) *Coastal Habitat Study of Bearna* Galway: Galway County Council

Accordingly, wetlands of some sort are common behind the storm beaches or stony banks where water levels probably fluctuate with rainfall, high tides and storm conditions.

Replace MM8 with:

A general minimum horizontal setback of 30m from the foreshore field boundary line for new development or along the 3m natural contour line, whichever is the greatest, is to be created. This horizontal setback may be increased according to local factors. Any planning applications that could be affected by rising sea levels but that are more than 30m from the foreshore field boundary or are above the 3m natural contour line must demonstrate that they will not be subject to adverse effects due to potential rising sea levels and will not require coastal defences in the future.

The Draft Plan makes special provision for a limited number of key developments that may be sited a minimum of 15m from the foreshore field boundary line. It must be demonstrated that these developments will not be subject to adverse effects due to potential rising sea levels and will not require coastal defences in the future.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.10 Sub-Issue 13AH – Environmental Assessment

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

The environmental assessment of the plan is poorly presented and structured, and appears to lack the necessary input of an ecologist and/or environmental specialist. The ER is deficient as it fails to identify, describe and evaluate adequately the likely significant effects on the environment, including ecology and biodiversity, of implementing the plan. Similarly, the mitigation section is poor, and has not been informed by an ecologist or other relevant specialist. While issues of critical nature importance for nature conservation do not arise in this instance, it would be desirable to see the environmental assessment and mitigation section revised with necessary specialist input provided.

Response:

The presentation and structure of the ER and the description and evaluation of the likely significant effects on the environment of implementing the Draft LAP complies with the SEA Directive and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 [S.I. No. 436 of 2004].

The ER has been prepared by a team of three qualified environmental specialists with over 50 years combined experience in environmental assessment.

The mitigation section is considered as being robust and it includes several measures which will ensure mitigation by avoidance.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.11 Sub-Issue 13AI – Piped or Culverted Watercourses

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

For watercourses that have been inappropriately culverted or piped, the objective should be to improve the current situation, remove the obvious barriers to wildlife passage (including fish, otter and invertebrates), and retrofit the impacted channels with appropriate open culverts.

Response:

This point relates to the remediation of impacts which have already occurred as a result of development in Bearna. The SEA has concentrated on preventing the future channelling and piping of streams in Bearna, as required by the legislation. Opportunities may arise in the future with regard to the remediation of impacts which have already occurred.

It is advised that an objective be integrated into the LAP in line with the DEHLG's above point, taking into account the limited resources which are available to the Council. Objective NH7 – Local Streams of the LAP states as follows: *Restore and reinstate streams or portions of streams that have been filled in or covered over as part of new developments.* This should be expanded to include piping and culverting.

Recommendation:

No change recommended to the SEA Environmental Report.

It is recommended that the first bullet point under Objective NH7 – Local Streams of the LAP be revised as follows:

Promote the restoration and reinstatement of streams or portions of streams that have been filled in, covered over, piped or culverted as part of new developments wherever practicable. On the proposal of Comh Ni Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.12 Sub-Issue 13AJ – Wastewater Disposal

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

The extent of the existing environmental problem associated with on-site wastewater treatment in the plan area is not given adequate consideration in the ER, nor are the recommendations adequate in respect of new development and on-site wastewater treatment plants. Soils and subsoils maps and groundwater protection scheme data appear not to have informed the proposals in respect of new development on site. There should be a requirement to adhere to any future guidance from the EPA in respect of on-site wastewater treatment systems.

Response:

This issue has been given extensive consideration in the ER and the LAP. Mitigation Measure 9 is a robust mitigation measure and will ensure that impacts as a result of implementation of the plan arising from waste water are fully mitigated.

It is noted that this mitigation measure can be updated in order to make it more robust by stating that future guidance from the EPA in respect of on-site wastewater treatment systems should be adhered to.

With regard to existing septic tanks, objective IS6 of the LAP is as follows:

Encourage the routine inspection of existing septic tanks and effluent treatment systems to ensure that they are operating in accordance with appropriate environmental standards and, where necessary, to undertake any maintenance and/or upgrading works required to improve performance and reduce environmental impacts. Existing septic tanks, percolation areas and proprietary effluent treatment systems to be upgraded in the long term to improve performance, efficiency and reduce potential for environmental pollution or surface water and/or groundwater.

The response received from the Conservation Officer on this sub-issue notes that the provision of infrastructure such as water/sewage treatment plants must be in a manner that would not be injurious to the character, functioning or amenity of the Architectural Conservation Area, historic structures or the ecological significance of the area.

Recommendation:

It is recommended that the requirement of adherence to future guidance from the EPA in respect of on-site wastewater treatment systems be added so that mitigation measure 9 reads as follows:

MM9: *New development under the LAP will be served by either:*

(A) *Providing new capacity for public waste water treatment either through the provision of a new public waste water treatment plant or through allocation of additional capacity to the village from the existing waste water treatment plant in Mutton Island and extending the existing public waste water treatment catchment to serve all possible developments within the Village Consolidation Zone initially and ultimately within the Village Enhancement Zone as the village expands out to these areas.*

or:

(B) *Treating waste water through the use individual waste water treatment systems, such as septic tanks.*

If development is served by (B) then the conditions outlined in the EPA's (2000) 'Wastewater Treatment Manuals Treatment Systems for Single Houses' and conditions set out in any future guidance from the EPA in respect of on-site wastewater treatment systems shall be complied with, and:

- (i) *Planning applications must demonstrate that wastewater resulting from the granting of the application will be treated so that any discharges to soil or water will work towards compliance with the following standards, subject to the EPA's (2000) Wastewater Treatment Manuals Treatment Systems for Single Houses: less than or equal to 30µg of phosphorous per litre of wastewater discharge, and; less than or equal to 100 faecal coliforms per 100ml of wastewater discharge.*
- (ii) *Applicants must submit a site suitability report alongside the planning application which outlines the likely effects on water quality which will be caused as a result of use of the relevant single waste water treatment system on site. This report shall be carried out by an appropriately qualified person.*

- (iii) *The applicant, if successful with the relevant application, must submit a copy of an installation certificate to Galway County Council stating that the treatment system was installed in line with the subject to the EPA's (2000) Wastewater Treatment Manuals Treatment Systems for Single Houses as well as a copy of a maintenance contract for a minimum of 10 years of maintenance, including desludging, for the waste water treatment system by appropriately certified person(s).*
- (iv) *Planning applications seeking to develop a total plot area of greater than one hectare and/or planning applications seeking to develop multiple units within the Village Consolidation Zone must demonstrate that a regular monitoring system will be set up, either through Galway County Council or otherwise, for the relevant new wastewater treatment systems in order to ensure that they are operating within the relevant standards.*

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.13 Sub-Issue 13AK – Changes Subject to SEA

Submitted By:

- No. 16 – Joanna Modzelewska (DoEHLG)

Summary:

It is important to note that all changes made to the draft plan, including any proposed changes to the plan area, must be subject to SEA and appropriate assessment, with the reports updated and amended accordingly. The current ER applies to the current version of the draft plan, and will not apply if any significant amendments and material alterations are made to the current draft.

Response:

This is noted.

Recommendation:

No change recommended to the SEA Environmental Report. Any changes to the LAP would be subject to further SEA screening to determine their likely and significant effects on the environment.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.14 Sub-Issue 13B – EPA Submission

Submitted By:

- Environmental Protection Agency

Summary:

All of the points made by the EPA were made verbally rather than in a written submission. Hence the text under each sub-issue heading is not italicised.

2.13.15 Sub-Issue 13BA – WRBD Characterisation Report

Submitted By:

- Environmental Protection Agency

Summary:

Include information on the status of the WRBD Characterisation Report under Section 3.5.

Response:

To include information on the status of the WRBD Characterisation Report under Section 3.5.

Recommendation:

It is recommended that the following text be added under Section 3.5:

The WRBD Characterisation Report has been published, giving a description of the current state of the district, including the quality of the various water bodies and the pressures on that quality; however the River Basin Management Plan for the WRBD will not be published until July 2008. This Management Plan will provide specific policies for individual river basins in order to implement the requirements of the Water Framework Directive.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.16 Sub-Issue 13BB – Saltmarsh Area West of Bearna Pier

Submitted By:

- Environmental Protection Agency

Summary:

Strengthen Mitigation Measure 3 (MM3) by specifying the type of effects that should be taken into account and by recommending that any future Coastal Zone Management study should examine the effects of flooding on the saltmarsh area to the west of Bearna.

Response:

Update the ER in line with the above.

Recommendation:

It is recommended that Mitigation Measure 3 (MM3) be updated as follows:

a) Planning applications within the field to the southeast of the village centre and adjacent to the old shellfish holding area must be accompanied by: an ecological assessment which takes account of direct and indirect effects of the development on habitats, species and ecological connectivity

b) It is recommended that any future Coastal Zone Management study examine the effects of flooding on the Saltmarsh area to the west of Bearna

On the proposal of Comh Ni Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.17 Sub-Issue 13BC – Stream Buffers

Submitted By:

- Environmental Protection Agency

Summary:

Specify a buffer of 20 metres with regard to Mitigation Measure 5 (MM5).

Response:

To specify a buffer of 10 metres with regard to Mitigation Measure 5 (MM5).

Recommendation:

It is recommended that Mitigation Measure 5 (MM5) be updated as follows:

Reserve and develop the Trusky Stream and Liberty Stream as greenway linkages with pedestrian and cycling facilities linking the Inner Village Area, Outer Village Area and Rural Fringe to the coastal edge with a buffer area of at least ten meters from the edge of stream banks to remain free of residential and commercial development.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.18 Sub-Issue 13BD – Stream Status

Submitted By:

- Environmental Protection Agency

Summary:

Revise Mitigation Measure 6 (MM6) so that both the carrying out of a study to examine the current state of streams in the Bearna Area and the integration of relevant policies of the Western Region Basin District River Basin Management Plan into the Local Area Plan is required.

Response:

Update Mitigation Measure 6 (MM6) in line with the above.

Recommendation:

It is recommended that Mitigation Measure 6 (MM6) be updated as follows:

a) Prohibit the future channelling and piping of streams in Bearna.

b) On adoption of the Local Area Plan a study shall be carried out on the Liberty Stream, Forramoyle East, West, Beg and More Streams, the Trusky Stream and the Lenarevagh Stream by the Environmental Department of Galway County Council. This study should be completed within 18 months of adopting the LAP and should include: an examination of the current state of the streams including an identification of any pollution sources, and; measures to mitigate against any pollution in the water bodies.

c) When published, the relevant policies of the Western Region Basin District River Basin Management Plan should be integrated into the Local Area Plan.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report, but the timeframe to be excluded.

2.13.19 Sub-Issue 13BE – Waste Water Discharges

Submitted By:

- Environmental Protection Agency

Summary:

Revise Mitigation Measure 10 (MM10) so that a phased prioritised programme is required to be prepared addressing how to deal with Bearna's waste water discharges.

Response:

Update Mitigation Measure 10 (MM10) in line with the above.

Recommendation:

It is recommended that Mitigation Measure 10 (MM10) be updated as follows:

a) If capacity in a public waste water treatment scheme is not made available to all development within the Plan area in the long term then existing septic tanks, percolation areas and proprietary effluent systems shall to be upgraded in accordance with the conditions specified under MM9 and a monitoring system shall be set up to the same effect.

b) Within 18 months of adopting the Local Area Plan a phased prioritised programme should be prepared by Galway County Council addressing how to deal with Bearnna's waste water discharges. This study should have regard to and state short, medium and long term environmental impacts of discharges.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report, but the timeframe to be excluded.

2.13.20 Sub-Issue 13BF – EPA Submission

Submitted By:

- Environmental Protection Agency

Summary:

Introduce Mitigation Measure 14 (MM14) as follows:

Within 18 months of adopting the Local Area Plan a detailed landscape and seascape character assessment and sensitivity rating of the Plan area and its coastline should be prepared. This landscape character assessment should include protection and management policies which are specific to Bearnna and which should be integrated into the Local Area Plan.

Response:

To introduce Mitigation Measure 14 (MM14) in line with the above.

Recommendation:

It is recommended that Mitigation Measure 14 (MM14) be introduced as follows:

Within 18 months of adopting the Local Area Plan a detailed landscape and seascape character assessment and sensitivity rating of the Plan area and its coastline should be prepared. This landscape character assessment should include protection and management policies which are specific to Bearnna and which should be integrated into the Local Area Plan.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report, but the timeframe to be excluded.

2.13.21 Sub-Issue 13BG – Groundwater Monitoring Programme

Submitted By:

- Environmental Protection Agency

Summary:

Under Section 9 Monitoring; commit to investigating the establishment of a groundwater monitoring programme.

Response:

Update ER in line with the above.

Recommendation:

It is recommended that Section 9 of the ER be updated as follows:

*Establishment of a monitoring programme for groundwater to be investigated (W2).
On the proposal of Comh Ni Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report, but the timeframe to be excluded.*

2.13.22 Sub-Issue 13C – Pobal Bhearna Submission

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

The Pobal Bhearna submission refers to the SEA undertaken for Bearnna and raises concerns in relation to the condition of streams and wastewater disposal proposals in Bearnna.

2.13.23 Sub-Issue 13CA – Coastal Development Setback

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

We wholeheartedly welcome the LAP recommendation for a linear coastal amenity park, adjacent to the foreshore, between Mags Boreen and Lacklea and the provision of the seaside promenade.

However, we are strongly opposed to the LAP proposal to have a minimum setback of only 30 metres in the Village Core area (reduced to 15 metres in certain circumstances). Such a reduction in coastal amenity space will completely undermine the concept of a coastal amenity park; and the ambiguity created by the 'optional' setback distance will, in time further erode the available amenity space. We are also puzzled as to why the best practice Coastal Edge protection policy (setbacks of 50 to 100m from the seashore boundary wall) outlined in the LAP does not apply to the Village Core area.

Reduction of the setback to 30 metres is also incongruous with the advice contained in the Strategic Environmental Assessment which highlights: the risk of future coastal flooding along Bearnna's coastline which "may be threatened with potential inundation as a result" of rising sea levels caused by global warming". In our view, the absolute minimum setback of the building line, from the field boundary wall with the foreshore should be 50 meters - to allow for the development of a promenade, cycleway, children's playgrounds landscaped amenity space with picnic tables and seating, and improved access to routes to the local beaches

Response:

As well as highlighting the risk of flooding, the Environmental Report advises the application of a general minimum setback of 30m from the foreshore field boundary through Mitigation Measure 8 (MM8) as detailed under DEHLG Point 7.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ní Fhartharta and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report,

1.1.1 Sub-Issue 13CB – Water Pollution and Wastewater Disposal

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

Although significant data gaps were identified in this report (e.g. in relation to biodiversity, groundwater and surface, bathing and coastal water quality monitoring etc.) the overall picture is of a highly polluted water environment in Bearná. Plainly, this has the potential to inflict pollution damage further afield - on the Special Protection Areas around Silver Strand and Rusheen Estuary - due to the prevailing current patterns in Galway Bay. The report highlights the following:

"The seriously polluted status of the Trusky Stream catchment - and other catchments - in Bearná may be impacting upon human health as a result of contact with the polluted waters during bathing"

"Contact with waters polluted by waste water can cause serious illness"

"Trusky River's capacity (and possibly the entire stream network in Bearná) for assimilating phosphorus has been exceeded; the Trusky River has no more capacity to assimilate phosphorous"

"Water pollution in Bearná is likely to be the result of imposed loads of inappropriately' treated sewage from residential development"

In the context of these conclusions it is completely unacceptable that Galway County Council is willing to facilitate further developments in the Bearná area through the use of temporary onsite systems as an interim measure until such time as additional public wastewater capacity is made available to service developments in Bearná.

In our view, this option, which is contrary to EU legislation, will accelerate degradation of the water environment in Bearná which could endanger human health. In the context of the current absence of safe drinking water in the Galway region due to Cryptosporidium contamination, (and the scale of the water pollution in the Bearná area, identified in the Strategic Environmental Assessment Report) it is inconceivable that temporary on-site systems can be considered by Galway County Council as a valid approach to waste water management for future developments.

In this context, the only option is to restrict development until the capacity of the existing public wastewater treatment system has been sufficiently increased to accommodate new developments.

This report uncovers water pollution at a dangerous and worrying level in the Barna area.

It is not acceptable at all, based on the scale of the problem, that the Council would be facilitating extra developments in the Barna area by 'using temporary systems on site as an interstep until an extra public refuse water capacity is provided to attend to developments in Barna.'

In our opinion, this choice, which does not agree with EU legislation, will quicken the downgrading of the Barna water environment and will endanger human health.

The water pollution crisis in the Galway area illustrated how important it is to accomplish 'best practice' environmental guidelines in a Local Area Plan.

In our opinion, the best choice is to control development until the current public refuse water treatment system is improved to be capable of serving new developments.

Response:

This reflects the general findings of the Environmental Report with regard to existing and potential water pollution. With regard to appropriate waste water treatment the environmental report recommends: Mitigation Measure 9 (MM9) of the Environmental Report which is quoted under DEHLG Point 10 above, and; Mitigation Measure 10 (MM10) of the Environmental Report as revised due to the EPA submission which is quoted under EPA Point 5 above.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ní Fhartharta and seconded by Cllr McHugh it was agreed to accept the recommendation in the Manager's Report.

2.13.25 Sub-Issue 13CC – Bearna Sewerage Scheme

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

Pobal Bhearna has made a separate submission to Galway County Council (under Part 8 Planning), with respect to the proposed 'Public Gravity Drainage Sewerage Scheme for Bearna'.

Although we welcome the provision of such a scheme for the Bearna area we have expressed a number of reservations with respect to the engineering and social priorities of this scheme. In particular, we are very concerned at the proposed location of the main holding/pumping station, to the west of O'Grady's Seafood Restaurant, within a few metres of the foreshore. High tidal surges and/or storm conditions are likely to cause flooding in this area with resulting evacuation of raw, untreated, sewage onto the local beach and foreshore.

In addition, the design of the foul water drainage system does not adequately take account of the local hydrology, which is characterised by rapid run-off in thin soil cover overlying granitic bedrock.

The historical and recent evidence indicates that periods of high rainfall cause water levels to rise up in local septic tanks and percolation pits, with consequent overflow of raw sewage into the foul water drainage scheme. This problem has been exacerbated in recent years by

the rapid increase in local housing developments in the Beams Village and the resulting modification of the local hydraulic conditions.

Response:

These points are a matter for the 'Public Gravity Drainage Sewerage Scheme for Bearna' planning process.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ní Fhartharta and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report,

2.13.26 Sub-Issue 13CD – Public Wastewater Capacity

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

With respect to the remaining 200 PE of Galway County Council's 'Mutton Island Allocation' (initial allocation 2000) we strongly recommend that these remaining PE units (equivalent to about 70 houses) are allocated to the existing residents of Bearna, before any new developments are considered. This action would help to undo some of the pollution damage outlined in the Strategic Environmental Assessment.

We strongly recommend that the 200 'PE' that is left from the Galway County Council 'Sheep Island Distribution' (equal to around 70 houses) be given to the current Barna inhabitants before any new developments are considered. This activity would help to correct some of the pollution damage laid out in the Strategic Report on Environmental Estimates.

Response:

The allocation of PE units is a matter for Galway County Council. The Environmental Report details Mitigation Measures with regard to waste water.

The LAP proposes that well-located infill development proposals that can contribute to community needs and high quality development should be prioritised in relation to connection to the public wastewater system. This is addressed further under Sub-Issue 10A.

Recommendation:

No change recommended to the SEA Environmental Report.

Refer to Sub-Issue 10A for recommendations regarding LAP.

On the proposal of Comh Ní Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report,

2.13.27 Sub-Issue 13CE – Underground Car Parking

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

We strongly oppose the proposal in the LAP to encourage underground car parking in developments in the Village Core area. The Strategic Environmental Study indicates that a

shallow water table is present in the Bearna area - due to the presence of impermeable granite bedrock. This renders the terrain unsuitable for deep excavation and underground car parking - which are easily flooded.

Empirical evidence from existing developments in Bearna centre confirms this picture. Furthermore given the highly polluted nature of the groundwater system in Bearna, there is a possibility that underground car-parks will act as catchment basins for raw sewage during periods of high rainfall- and hence represent a public health risk. These should not be permitted in developments in the central area of the Village because the land is not suitable for deep excavation. (The Strategic Environmental Study illustrates that there is a shallow water table in the Barna area).

Response:

This is a matter which should be dealt with at individual project levels and has been covered under Sub-Issue 9G above.

Recommendation:

No change recommended to the SEA Environmental Report.

Refer to Sub-Issue 9G for recommendations regarding the LAP.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report

2.13.28 Sub-Issue 13D – WRFB Submission

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

The WRFB submission raises a number of concerns regarding streams, water quality, fish populations and wastewater disposal.

2.13.29 Sub-Issue 13DA – Local Streams

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

The plan area contains a number of small streams of local significance and which support small populations of wild brown trout and eel. The Truskey stream also flows in the Galway Bay, a special area of conservation. The flow in the existing streams needs to be maintained, particularly during drought periods and water quality need to be fully protected. There is a danger that as more of the catchment is concreted that the natural hydrology will be disrupted, leaving the streams dry for extended periods.

Response:

Mitigation Measure 6 of the ER as revised due to the EPA submission above is as quoted under EPA Point 4 above.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Comh Ni Fhartharta and seconded by Cllr S.Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.30 Sub-Issue 13DB – Impacts on Watercourses

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

The many and varied references to water quality in the document is noteworthy but there is a sense that notwithstanding this that the main thrust of the plan is to promote development both within the village core and around the village. The Truskey stream and tributaries are already subject to the impact of culverting and pollution and it is anticipated that under the current plan that this trend will continue to impact all streams in the plan area. It is known that there are trout and eels present but there is need for a comprehensive assessment of fish populations within the watercourses in the environs of the plan area in order to determine the species present, their distribution and upper limit zones and the potential of the instream habitat for their continued maintenance. It would appear that based on the scale of development proposed that the existing shrinking fish populations will be eliminated completely. Existing developments straddling watercourses have resulted in culverting and where segments of watercourses have been left open, high level weirs have been installed which effectively inhibit fish movement. Even the Truskey stream at Barna Pier has been culverted at the point where it enters the sea. It is apparent as matters stand that salmonid fish are present but at low population levels and under serious threat from development. At one time there was a sea trout run into the Truskey stream but this is no longer the case. The Board notes that the plan sets out the infrastructure needs for the area in section 2.8. It is noted that wastewater's arising will be intercepted from the village core for treatment at Mutton Island up to a population of 2,000 but that this ceiling is now nearing its limit due to existing population growth and anticipated increases consequent of planning permissions issued.

Response:

Mitigation Measure 5 of the ER as revised due to the EPA submission above is as quoted under Point 3 of the EPA submission above.

Mitigation Measure 6 of the ER, as revised due to the EPA submission above, is quoted under WRFB Point 1 above.

Mitigation Measure 9 (MM9) of the ER is quoted under DEHLG Point 10 above.

Mitigation Measure 10 (MM10) of the ER as revised due to the EPA submission is quoted under EPA Point 5 above.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Cllr S.Walsh and seconded by Cllr McHugh it was agreed to accept the recommendation in the Manager's Report,

2.13.31 Sub-Issue 13DC – Wastewater Treatment

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

On the proposal of Comh Ní Fhartharta and seconded by Cllr S. Walsh it was agreed to accept the recommendation in the Manager's Report.

2.13.30 Sub-Issue 13DB – Impacts on Watercourses

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

The many and varied references to water quality in the document is noteworthy but there is a sense that notwithstanding this that the main thrust of the plan is to promote development both within the village core and around the village. The Truskey stream and tributaries are already subject to the impact of culverting and pollution and it is anticipated that under the current plan that this trend will continue to impact all streams in the plan area. It is known that there are trout and eels present but there is need for a comprehensive assessment of fish populations within the watercourses in the environs of the plan area in order to determine the species present, their distribution and upper limit zones and the potential of the instream habitat for their continued maintenance. It would appear that based on the scale of development proposed that the existing shrinking fish populations will be eliminated completely. Existing developments straddling watercourses have resulted in culverting and where segments of watercourses have been left open, high level weirs have been installed which effectively inhibit fish movement. Even the Truskey stream at Barna Pier has been culverted at the point where it enters the sea. It is apparent as matters stand that salmonid fish are present but at low population levels and under serious threat from development. At one time there was a sea trout run into the Truskey stream but this is no longer the case. The Board notes that the plan sets out the infrastructure needs for the area in section 2.8. It is noted that wastewater's arising will be intercepted from the village core for treatment at Mutton Island up to a population of 2,000 but that this ceiling is now nearing its limit due to existing population growth and anticipated increases consequent of planning permissions issued.

Response:

Mitigation Measure 5 of the ER as revised due to the EPA submission above is as quoted under Point 3 of the EPA submission above.

Mitigation Measure 6 of the ER, as revised due to the EPA submission above, is quoted under WRFB Point 1 above.

Mitigation Measure 9 (MM9) of the ER is quoted under DEHLG Point 10 above.

Mitigation Measure 10 (MM10) of the ER as revised due to the EPA submission is quoted under EPA Point 5 above.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Cllr S. Walsh and seconded by Cllr McHugh it was agreed to accept the recommendation in the Manager's Report,

2.13.31 Sub-Issue 13DC – Wastewater Treatment

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

There is concern that despite the plan, a substantial fraction of the existing and projected population will continued to be serviced by on site wastewater treatment plants. This is not sustainable.

The plan-needs to be more explicit with regard to the provision of a new wastewater treatment plant for Galway west. Representatives of the Board attended the oral hearing in Galway on the 12th December 2006 into the proposed modification to the Mutton Island Wastewater Treatment Plant in which discussions centred on the upgrading/reconfiguration necessary in order to treat the waste load from a population of 145,000 people peaking at 170,000. It was clear from the documentation that because of the design brief which confined development to the existing footprint that nitrification phase will now be omitted in order to facilitate the increased loads. Thus it would seem that the Mutton Island Plant was to operate as originally intended, serious capacity issues would arise.

Response:

See Response to Sub-Issue 13DB above.

Recommendation:

No change recommended to the SEA Environmental Report.

On the proposal of Cllr S.Walsh and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report,

2.13.32 Sub-Issue 13DD – Marine Life and Angling

Submitted By:

- No. 26 – Kevin Rodgers (WRFB)

Summary:

The Galway bay SAC supports a variety of marine fish life, some of which are; important angling species. The Board would support the creation of a specific zone for sea angling, and this could be done by way of groyne (similar to Salt-hill) extending seawards which would help prevent coastal erosion and would facilitate the establishment of sandy zones. The foreshore is considered too rocky.

Response:

The site synopsis of the SAC is included in the ER and two Strategic Environmental Objectives relating to the protection of the SAC are used in order to evaluate the plan as follow: SEO B1 - To avoid loss of habitats and flora and fauna in designated wildlife sites, and; SEO B2 - To avoid significant adverse impacts, including direct, cumulative and indirect impacts, by development within and outside designated wildlife sites to habitats and flora and fauna within these sites.

Mitigation Measure 1 of the ER is as follows:

Establish a buffer, free of development, at least 30m in width around designated wildlife sites which may be subject to an increase depending on local ecological and drainage conditions and other factors as appropriate.

Mitigation Measure 2 of the ER is as follows:

Planning applications within 60 metres of designated wildlife sites must be accompanied by: an ecological assessment which complies with Section 18 of the European Communities

(Natural Habitats) Regulations 1997 and which takes direct and indirect effects of the development on the designated site into account, and; evidence of consultation between the applicant and the National Parks and Wildlife Service with regard to the findings of this assessment. The need for ecological assessments for planning applications further than the 30 metre distance shall be decided upon on a site by site basis depending on local ecological and drainage conditions and other factors as appropriate.

It is noted that there is a mistake in the distances given in this mitigation measure. This is corrected by the update below.

Recommendation:

It is recommended that Mitigation Measure 2 is updated as follows:

Planning applications within 60 metres of designated wildlife sites must be accompanied by: an ecological assessment which complies with Section 18 of the European Communities (Natural Habitats) Regulations 1997 and which takes direct and indirect effects of the development on the designated site into account, and; evidence of consultation between the applicant and the National Parks and Wildlife Service with regard to the findings of this assessment. The need for ecological assessments for planning applications further than the 60 metre distance shall be decided upon on a site by site basis depending on local ecological and drainage conditions and other factors as appropriate.

On the proposal of Cllr S. Walsh and seconded by Cllr Welby it was agreed to accept the recommendation in the Manager's Report, but amend the following, 'planning applications within 60m..... to planning applications within 30m.....'

2.13.33 Sub-Issue 13E – General Submissions

Submitted By:

- Various

Summary:

While other submissions on the Draft LAP do not refer directly to the SEA ER, this sub-issue outlines the main environmental consequences of the proposals made in those submissions. Potential significant adverse impacts have been identified in each case; should the Draft Plan any of the submissions be integrated into the Draft Plan further Mitigation Measures over those which are currently proposed will be needed.

2.13.34 Sub-Issue 13EA – Reduce Coastal Development Setbacks

Submitted By:

- Various

Summary:

Reductions in coastal setbacks in favour of increased development.

Response:

Increased development potential on the coastal edge area would potentially result in significant adverse environmental impacts upon:

- ecological connectivity along the coast, which provides linkage between a number of ecological networks including Bearna's various streams and the designated wildlife sites to the east of Bearna
- a wet grassland area that supports a variety of orchid species (Annex I habitat)

identified in the Environmental Report

- aquatic habitats and species to the south of the R336 as a result of channelling, piping
- mitigation, through avoidance, of the effects of flooding
- the status of Bearna's coastline as an attractive amenity, recreational and ecological resource

Recommendation:

No change recommended. Sub-Issue 7A provides additional detail on the above.

On the proposal of Comh Ni Fhartharta and seconded by Cllr Mullins it was agreed to accept the recommendation in the Manager's Report

2.13.35 Sub-Issue 13EB – Reduce Green Wedges Area

Submitted By:

- Various

Summary:

Reduction of the Green Wedges Area zoning in favour of more development friendly areas.

Response:

This would result in the following:

- A reduction of the Green Wedges Area zoning in favour of more development friendly areas would be likely to result in significant adverse impacts upon ecological connectivity. These impacts would occur in areas which have undergone less habitat fragmentation, which includes habitat loss, disturbance, severance or alteration, and the creation of barriers for wildlife of locally significant habitats, than other areas in the Draft Plan area.
- In addition, such a change would be likely to result in a failure to maintain as a buffer the Green Wedges Area to the east of the village centre between the development of Knocknacarragh in the Galway City Council area and the development of Bearna in the Galway County Council area thus potentially resulting in degradation of this buffer.

Recommendation:

No change recommended. Sub-Issue 5E provides additional detail on the above.

On the proposal of Cllr Welby and seconded by Cllr Kyne it was agreed to accept the recommendation in the Manager's Report including amendments already agreed.

2.13.36 Sub-Issue 13EC – Expanding Village Consolidation Zone

Submitted By:

- Various

Summary:

An increase in development as a result of expanding the Village Core Area, the Inner Village Area and the Outer Village Area.

Response:

An increase in development as a result of expanding the Village Core Area, the Inner Village Area and the Outer Village Area would potentially result in significant adverse impacts upon:

- ecological connectivity
- an Annex I habitat
- the quality of surface water, ground water, estuarine water, bathing water and soil as a result of an absence of appropriate waste water treatment
- aquatic habitats and species as a result of channelling, piping and impacts upon water quality
- mitigation, through avoidance, of the effects of flooding
- the status of Bearna's coastline as an attractive amenity, recreational and ecological resource
- the status of the Green Wedges Area to the east of the village centre as a buffer between the development of Knocknacarragh in the Galway City Council area and the development of Bearna in the Galway County Council area

With regard to Population and human health impacts, although most of the Village's population and it's associated local employment, services and infrastructure would be concentrated within the existing settlement centre, residential development would leak heavily into the surrounding area to the north of the Village centre resulting in increased difficulties with regard to the provision of necessary infrastructure in the short to medium term. The provision of local community and social services would become less economically viable in the outer areas. In addition a greater locational choice would be provided for development within the Village and market forces would be likely to lead to the take up of green field development over infill and renewal opportunities.

Recommendation:

No change recommended. Sub-Issue 5B and 5I provide additional detail on the above.

On the proposal of Cllr Welby and seconded by Cllr Mullins it was agreed to accept the recommendation in the Manager's Report,

2.13.37 Sub-Issue 13ED – Remove Community Facility Siting Options

Submitted By:

- Various

Summary:

Decreasing the number of siting options for community gain objectives.

Response:

With regard to the population and human health impacts of such recommendations, the provision of appropriate community facilities, amenities and infrastructure would be made more difficult and less likely.

Recommendation:

No change recommended. Issue 7 provides additional detail on the above.

On the proposal of Comh O'Tuairisg and seconded by Cllr Welby it was agreed to accept the recommendation in the Manager's Report,

2.14 Issue 14 – Miscellaneous Issues

2.14.1 Issue 14 – General

Submitted By:

- No. 20 – Mr. Eugene McKeown
- No. 48 – Enda Folan (Pobal Bhearna)

Introduction:

A number of submissions raise issues that do not readily fit under any of the previous issues or sub-issues identified in this report. These issues have been dealt with below.

2.14.2 Sub-Issue 14B – Helicopters

Submitted By:

- No. 20 – Mr. Eugene McKeown

Summary:

The above submission notes that there is an increasing occurrence of low-flying helicopters and landings/take-offs from 0.5 acre sites in the area, which is a nuisance and safety risk to the population of the village. The submission requests that: the LAP be amended to require any helicopter landing facility to comply with applicable regulations; an area inside the LAP boundary be defined as a “congested area” as defined in Irish Aviation Authority OAM 08/00; or alternatively that the Green Wedges, Village Core, Inner Village and Outer Village area be defined as a “congested area”.

Response:

The following paragraphs have been extracted from the Irish Aviation Authority OAM 08/00:

Civil helicopter operations are primarily regulated by the Irish Aviation Authority (Operations), Order, 2002 (S.I. No. 437 of 2002) (as amended) (including JAR-OPS 3) and the Irish Aviation Authority (Rules of the Air) Order, 2004 (S.I. No. 72 of 2004) (as amended) and any Directions made by the Irish Aviation Authority thereunder. Heliport operations are regulated by The Irish Aviation Authority Aerodromes and Visual Ground Aids Order, 2000 (S.I. No. 334 of 2000) (as amended) and the Irish Aviation Authority (Aerodromes Standards), Order (S.I. No. 26 of 2000) (as amended) and any Directions made thereunder.

The Irish Aviation Authority (IAA) is the organisation in whom the responsibility for the safety regulation of civil air operations is vested by the Irish Aviation Authority Act 1993. Within the Irish Aviation Authority's Safety Regulation Division (SRD), the Operating Standards Department (OSD) is tasked with, inter alia, overseeing Commercial Air Transport and General Aviation Operations, including aerial work, corporate, private and recreational aviation operations. The Authority's Airspace and Aerodromes standards Department (AASD), oversees the standards and licensing of heliports, where applicable.

Provided a heliport site is not located within a congested area, or close to an open air assembly of 1000 or more people, it is only necessary that the heliport site owner/occupier grants prior permission to a helicopter operator intending to use the heliport.

When planning an operation to a heliport site located within a congested area, (see 'Definitions' for a 'Congested Area'), a helicopter operator must ensure, in the event of an engine failure during any stage of the landing and take-off segments, that the helicopter used will retain Performance Class 1 capability (see 'Definitions' for 'Performance Class 1') and, for helicopters operated in Performance Class 2 and 3, that the heliport site take-off and landing distances and obstruction environment are such so as to permit a safe forced landing (see 'Definitions' for 'Safe forced landing') to be carried out should an engine fail during the landing or take-off segments (see Appendices 3 of this OAM); and that there are also sufficient open spaces in the immediate vicinity of the heliport site to ensure a safe forced landing should an engine failure occur during the approach and continued take-off segments.

A helicopter operator should also inform the local Gardai of intended heliport operations and ensure that the helicopter's Flight Manual contains performance profiles appropriate to the helicopter intended to be used. (Aeronautical Notice 0.2, Issue 4, of 4th December, 2000 refers).

A "congested area" is defined in the Irish Aviation Authority OAM 08/00 as follows:

In relation to a city town or settlement, any area which is substantially used for residential, commercial or recreational purposes and is without adequate safe forced landing areas (see also definitions of hostile and non-hostile environments).

Whilst the GCDP 2003-2009 does not make any specific reference to helicopters, it does refer to air transport under Policy 31 and Policy 37 of Section 3.3, which aim to facilitate the improvement and upgrading of air transport services and infrastructure. The GCDP also refers to the Seveso II Directive 82/96/EC, which is concerned with the prevention of major accidents and limiting their consequences.

It is suggested that the LAP include a reference to the aviation legislation governing helicopter use and to the requirements of the Irish Aviation Authority in order to provide guidance on this issue in the Bearna area. It is not considered appropriate, however, to define a "congested area" in the LAP boundary without further investigation and consultation with the Irish Aviation Authority.

Recommendation:

It is recommended that a new paragraph be inserted at the end of Section 4.1.12 dealing with helicopters and air transport as follows:

Air Transport

The provision of air transport services and infrastructure, including civil helicopter operations, will be guided by the following:

- *The relevant policies, objectives and standards in the GCDP 2003-2009, including Policy 31 and Policy 37 in Section 3.3, which aim to facilitate the improvement and upgrading of air transport services and infrastructure.*
- *The applicable aviation legislation, including Irish Aviation Authority (Operations) Order 2002 (SI No. 437 of 2002) (as amended) (including JAR-OPS 3) and the Irish Aviation Authority (Rules of the Air) Order 2004 (SI No. 72 of 2004) (as amended), which are the primary regulations for civil helicopter operations, and any Directions made by the Irish Aviation Authority thereunder. Heliport operations are regulated by The Irish Aviation Authority Aerodromes and Visual Ground Aids Order 2000 (SI No. 334 of 2000) (as amended) and the Irish Aviation Authority (Aerodromes Standards) Order (SI No. 26 of 2000) (as amended) and any Directions made thereunder.*
- *The licensing, safety and operating procedures and any relevant Operating Advisory Memorandums (OAMs) issued by the Irish Aviation Authority (IAA), which is the organisation in whom the responsibility for the safety regulation of civil air operations is vested by the Irish Aviation Authority Act 1993. This includes Irish Aviation Authority OAM No. 08/00, which provides Guidelines for Heliport Site Owners/Occupiers and for Heliport Site-keepers.*

It is recommended that the title of Section 4.1.12 be amended as follows to reflect the inclusion of air transport considerations under this section:

4.1.12 Standards for Transportation, Roads, Parking, Loading and Storage

On the proposal of Cllr S. Walsh and seconded by Comh O' Tuairisg it was agreed to accept the recommendation in the Manager's Report,

2.14.3 Sub-Issue 14C – Plan Alteration/Adoption

Submitted By:

- No. 48 – Enda Folan (Pobal Bhearna)

Summary:

The Pobal Bhearna submission states that, given the exhaustive public consultation process that has taken place and the very high level of engagement by all interested parties, Pobal Bhearna strongly urge the elected Council Members to think very carefully before endorsing any proposals that fundamentally alter the key elements of the Draft LAP.

Response:

The issue raised above relates to the alteration and/or adoption of the LAP, which is a reserved function of the Elected Members.

Recommendation:

N/A

On the proposal of Cllr McHugh and seconded by Comh Ní Fhartharta it was agreed to accept the recommendation in the Manager's Report,

On the proposal of Comh Ní Fhartharta and seconded by Cllr Welby it was agreed to place the amendments and material alterations as agreed on public display within the next three weeks.

Mr Gavin thanked the Elected Members for their time and patience and commitment with the Bearna Local Area Plan process.

Mr Ridge also thanked the Elected Members for taking a leadership role in this new and innovative approach to the provision of a local area plan for Bearna. He also acknowledge the immense amount of work the Members had done. Mr Ridge also thanked the people of Bearna for their co-operation and for identifying what's important to the Community in Bearna.

The Manager stated that this was a very innovative plan which had great potential. She acknowledged that it was a great leap of faith for both the Elected Members and the Staff and hoped that Bearna Local Area Plan would be a successful plan.

Comh O'Tuairisg also thanked his fellow Elected Members and the planning staff

**LOCAL GOVERNMENT ACT 2001 –SECTION 85 AGREEMENT -
GALWAY COUNTY COUNCIL AND MAYO COUNTY COUNCIL FOR THE
LAYING OF A WATERMAIN TO SHRULE, CO. MAYO.** 1379

Report dated 20th September, 2007 was already circulated to Each Member

On the proposal of Cllr. Mullins, seconded by Cllr. Hoade, the Section 85 Agreement - Galway County Council and Mayo County Council for the laying of a watermain to Shrule, Co. Mayo, was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 - THE CONSTRUCTION OF 1 NO. RESERVOIR AND ALL ASSOCIATED SITE WORKS IN THE TOWNLAND OF CORLACKAN (BALLYMOE BY) IN PARTNERSHIP WITH THE GLINSK / CREGGS WATER SCHEME CO-OPERATIVE SOCIETY LTD. IN ORDER TO UPGRADE THE WATER STORAGE FACILITIES FOR THIS SCHEME. 1380

Report dated 20th September 2007 was circulated to each member.

On the proposal of Cllr. T. Walsh, seconded by Cllr. M. Connolly, the proposed construction of 1 No. Reservoir and all associated site works in the townland of Corlackan (Ballymoe By) in partnership with the Glinsk / Creggs Water Scheme Co-Operative Society Ltd. in order to upgrade the water storage facilities for this scheme, was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 - THE CONSTRUCTION OF 1 NO RESERVOIR AND ALL ASSOCIATED SITE WORKS IN THE TOWNLAND OF TOOREEN IN PARTNERSHIP WITH THE BALLINAKILL / MOYARD GROUP WATER SCHEME IN ORDER TO UPGRADE THE WATER STORAGE FACILITIES FOR THIS SCHEME. 1381

Report dated 20th September 2007 was circulated to each member.

On the proposal of Cllr. Conneely, seconded by Cllr. S. Walsh, the proposed construction of 1 No Reservoir and all associated site works in the townland of Tooreen in partnership with the Ballinakill / Moyard Group Water Scheme in order to upgrade the water storage facilities for this scheme, was approved.

FILLING OF CASUAL VACANCIES IN MEMBERSHIP OF THE COUNCIL 1382

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF: - 1383

- (a) Board of Directors of Corrib Airport Ltd
- (b) Galway County & City Enterprise Board
- (c) Western Inter-County Rail Committee
- (d) County Galway Vocational Education Committee –

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF: - 1384
(a) Athenry Heritage & Tourism Co. Ltd., -

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF :- 1385
(a) Galway Rural Development
(b) Cumas Teo., Pairtiocht Chonamara agus Arann -

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF THE PLANNING & SUSTAINABLE DEVELOPMENT STRATEGIC POLICY COMMITTEE 1386

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF THE CORPORATE & CULTURAL AFFAIRS STRATEGIC POLICY COMMITTEE 1387

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

TO APPROVE DISABILITY ACTION PLAN 2007-2015 1388

Report dated 18th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

WATER SERVICES INVESTMENT PROGRAMME UPDATE 1389

Report dated 20th September 2007 was circulated to each member.

On the proposal of Cllr. Mullins, seconded by Comh. Ní Fhatharta it was agreed that this item be deferred.

MULTI-ANNUAL ROAD WORKS RESTORATION PROGRAMME 2008-2010 1390

Report dated 17th September, 2007 was already circulated to each Member.

On the proposal of Cllr. S. Walsh, seconded by Cllr. Mannion, the Multi-Annual Road Works Restoration Programme 2008-2010, was approved.

SCHEME OF GRANTS FOR SPECIFIC IMPROVEMENT WORKS ON NON-NATIONAL ROADS – PROPOSALS FOR FUNDING IN 2008 1391

Report dated 17th September, 2007 was already circulated to each Member

On the proposal of Cllr. Hoade, seconded by Cllr. S. Walsh, the Scheme of Grants for Specific Improvement Works on Non-National Roads – Proposals for Funding in 2008, was approved.

ROADS & TRANSPORTATION PROJECT PROPOSALS FUNDED BY THE DEVELOPMENT CONTRIBUTION SCHEME (PRE MARCH 2004) 1392

Report dated 18th September, 2007 was already circulated to each Member

On the proposal of Cllr. Mullins, seconded by Cllr. Mannion, the Roads & Transportation Project Proposals funded by the Development Contribution Scheme (Pre March 2004) were approved.

TO APPROVE ANNUAL FINANCIAL STATEMENT FOR YEAR ENDING 31/12/2006 1393

Report dated 22nd August, 2007 was already circulated to each Member

On the proposal of Comh. Ní Fhatharta, seconded by Cllr. Mullins, the Annual Financial Statement for year ending 31/12/2006, was approved.

TO APPROVE AMENITY GRANTS 2007 (6TH ROUND ALLOCATION) 1394

Report dated 18th September, 2007 was already circulated to each Member

On the proposal of Cllr. Feeney, seconded by Cllr. Reilly, the Amenity Grants 2007 (6th Round Allocation) as circulated was approved.

**TO APPROVE COMMUNITY BASED ECONOMIC DEVELOPMENT
FINANCIAL ASSISTANCE SCHEME GRANTS 2007** 1395

Report dated 18th September, 2007 was already circulated to each Member

On the proposal of Cllr. Mannion, seconded by Cllr. S. Walsh, the Community Based Economic Development Financial Assistance Scheme Grants 2007 as circulated was approved.

MANAGER'S BUSINESS 1396

It was agreed that the Council would invite the Minister for the Environment, Heritage & Local Government to officially open the new Clifden Fire Station.

MAYOR'S BUSINESS 1397

The Members congratulated the Galway Minor Football Team and the Galway U21 Hurling Team on their recent All Ireland successes. It was agreed to have a reception for the two teams at the next Council Meeting.

CONFERENCE 1398

On the proposal of Cllr. J. Mc Donagh, seconded by Cllr. Mannion, it was agreed that the attendance of the following members at the Conferences set out hereunder, the cost of each Conference having been circulated to each member:-

“Greystones Town Council – The Changing Ireland – Charlesland Golf & Country Club Hotel, Greystones, Co. Wicklow, 28th-30th September 2007.

Cllr. P. Hynes

“NASC Annual Conference – Innovation and Sustainable Development on the Atlantic Periphery – County Hall, Cork. – 4th October 2007.

Cllrs. M. Mullins, P. Hynes

“Kerry Life Education – Getting a Grip 2007, “Winning or Losing” The Battle against Substance & Alcohol misuse” Malton Hotel, Killarney, 4th -5th October 2007.

Cllr. C. Keaveney

“TJK Conferences – Planning Seminar for Councillors” Earl of Desmond Hotel, Tralee, 12th -13th October 2007.

Cllr. J. Mc Donagh

“Association of Irish Festival Events (A.O.I.F.E) – 15th Annual Conference “Working towards a stronger, sustainable festival & events sector” Carlton Shearwater Plaza Hotel, 8th-10th November 2007.

Cllr. M. Mullins

“LAMA Annual Winter Conference” Dolmen Hotel, Carlow – 9th – 10th November 2007.

Cllrs. J. Mc Donagh, W. Burke

“Confederation of European Councillors – Tackling Poverty and Social Needs in Ireland, North & South” Killyhevlin Hotel, Enniskillen, 7th December 2007.

Cllrs. M. Mullins, B. Willers.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 26 – CLLR. B. WILLERS 1399

The following reply was given:-

“A Draft Preliminary Report is expected towards the end of October. The expected start date for the Gort Regional Water Scheme is late 2009”.

NOTICE OF MOTION NO 27 – CLLR. B. WILLERS 1400

The following reply was given:-

“A Draft Brief for the appointment of consultants has been prepared and it is envisaged that an advertisement for the appointment will be made by the end of October. The site for the plant has not yet been acquired”.

NOTICE OF MOTION NO 28 – CLLR. B. WILLERS 1401

The following reply was given:-

“This matter has been referred to the Area Engineer for investigation in terms of cost and location of suitable sites.”

NOTICE OF MOTION NO 29 – CLLR. D. CONNOLLY 1402

The following reply was given:-

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 30 – CLLR. D. CONNOLLY 1403

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 31 – CLLR. D. CONNOLLY 1404

The following reply was given:-

“Galway County Council have made an application for funding under the Low Cost Remedial Measure Programme 2008 for improvements to Kilclooney Junction. If the aforementioned application is deemed successful it is proposed to allocate the available funding for the improvement to road signage and line marking on the approach roads to Kilclooney Junction.”

NOTICE OF MOTION NO 32 – CLLR. J. MCDONAGH 1405

The following reply was given:-

“This matter will be investigated and you will be advised of the outcome of the investigation.”

NOTICE OF MOTION NO 33 – CLLR. J. MCDONAGH 1406

The following reply was given:-

“This matter will be investigated and you will be advised of the outcome of the investigation.”

NOTICE OF MOTION NO 34 – CLLR. J. MCDONAGH 1407

The following reply was given:-

“The estimated cost of improving the junction in question is €10,000. This allows for timber post and rail fencing but does not include for land acquisition costs (if required). There is no funding available at present for these works.”

NOTICE OF MOTION NO 35 – CLLR. M. HOADE 1408

The following reply was given:-

“The Local Authority does not have the power to change conditions within a planning permission save through the planning process. The Planning Authority has freedom to

interpret a condition depending on the wording of the condition and in that regard can determine whether or not individual applicants or cases can qualify under the Enurement Clause. The decision by An Bord Pleanala was made excercising powers available to the Bord that are not available to the Local Authority.”

NOTICE OF MOTION NO 36 – CLLR. M. HOADE

1409

The following reply was given:-

“A submission was made to the N.R.A. for Traffic Route Lighting at this location in recent years but funding has not been allocated by the N.R.A., to date, for same.

The provision of footpaths and Traffic Route Lighting at this location is also being considered and will be a requirement under any proposed development planned for the area.”

NOTICE OF MOTION NO 37 – CLLR. P. HYNES

1410

The following reply was given:-

“A new prefab will be ordered next week as a replacement for existing prefabricated building.”

NOTICE OF MOTION NO 38 – CLLR. P. HYNES

1411

The following reply was given:-

“This house already has PVC doors and windows which were provided by the tenant themselves, they have been inspected by our technical staff and have been found to be in good condition and are not in need of replacement, however, locks need to be replaced and this is a matter for the tenants themselves. As the windows were provided by the tenants, which is the responsibility of the Council the Housing Unit is willing to make a modest financial contribution towards same.”

NOTICE OF MOTION NO 39 – CLLR. P. HYNES

1412

The following reply was given:-

“There are currently 2 signs (one on either side) of the approach roads to Duniry. The Council will be reconstructing the road through the village in 2008 and signs will be upgraded and replaced as part of this work. The current signs are in good condition and can be remounted on new poles.”

NOTICE OF MOTION NO 40 – CLLR. S. CANNEY

1413

The following reply was given:-

“Rates income is levied by the Council to fund its net expenditure to enable it to carry out the programme of works as set out in the annual budget. All Local Authorities

have a statutory obligation to levy and collect rates on any property used for commercial purposes in accordance with the details entered in the Valuation lists prepared by the Commissioner of Valuation.

It is the legal duty of the Commissioner of Valuation under the Valuation Acts to determine what property is rateable. It is also within the powers of the Valuation Office to determine if a property can be exempted from rates. The Occupier of a property has access to an appeals process right to the Supreme Court if he is dissatisfied with the determination of the Valuation Office.

The introduction of a rate waiver scheme would conflict with the independence of the Valuation Office as the Council would effectively be rejecting the decisions of that independent body which is charged with determining what properties are rateable. In addition it should be noted that the Councils net expenditure would still remain to be funded so any shortfall in rates arising on foot of a waiver scheme would have to be recovered from other rate payers by means of an inflated annual rate on valuation. In other words other ratepayers would effectively be subsidising those benefiting from the rate waiver scheme, which we believe would be inequitable”.

NOTICE OF MOTION NO 41 – CLLR. S. CANNEY

1414

The following reply was given:-

“I wish to confirm that it is proposed to bring a positive recommendation before the Council in relation to this matter on completion of the statutory public consultation procedures.”

NOTICE OF MOTION NO 42 – COMH. S. Ó TUAIRISG

1415

The following reply was given:-

“Tá an scéim séarachais do Chorr na Móna liostáilte faoi "Scéimeanna Séarachais don tréimhse 2010 go dtí 2014" san measúnú riachtanais reatha. Tá bailte agus sráidbhailte níos mó atá ag urscaoileadh isteach i Loch Coirib, a d'fhéadfadh tionchar níos mó a bheith acu ar Loch Coirib, ar an gClár Infheistíochta Seirbhísí Uisce reatha agus tá ag staid níos faide chun cinn.”

NOTICE OF MOTION NO 43 – COMH. S. Ó TUAIRISG

1416

The following reply was given:-

“Níl sí ar intinn ag an gComhair Chontae cosán a chur ar fáil ar an mbóthar seo. Beidh leathnú déanta ar an mbóthar I gceann cúpla blianta agus beigh “margin” ar fáil agus beigh Cosaithe in ann an “margin” a usáid.”

NOTICE OF MOTION NO 44 – CLLR. SINEAD CONNAUGHTON 1417

The following reply was given:-

“Toomard, Newbridge

This junction is at the intersection of the Local Primary and Local Secondary road at Toomard. “Yield” signs and appropriate road markings are in place on the Local Secondary approaches to the junction.

Tully, Newbridge

At Tully a Local Tertiary road exists onto a Local Secondary road on a bend. There is a “Stop” sign in place on the Local Tertiary road and statutory junction signs on the Local Secondary approaches to the junction. The bend may be a suitable location for a Community Involvement Scheme.

Signage at both of the above locations will be reviewed and improved as necessary. Other measures to improve safety will also be investigated.”

NOTICE OF MOTION NO 45 – CLLR. JAMES JOYCE

1418

The following reply was given:-

“Noted.”

Criochnaigh an Cruinniú Ansin

Submitted, Approved & Signed
Beán Banney
22nd October 2007
Date

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ANNUAL REPORT FOR THE PERIOD ENDED 30th JUNE 2007 1369

Mr. Mullerky referred to the Financial Report for the period ended 30th June 2007, which had been circulated to each member and outlined the contents of the report. He referred to each programme group and summarised the income and expenditure for the period and stated that overall, the figures were broadly in line with expectations. He said that he would be pleased to provide any additional information that the members required in relation to the report.

**MINUTES OF FINANCE MEETING OF GALWAY
COUNTY COUNCIL HELD AT ÁRAS AN
CHONTAE, PROSPECT HILL, GALWAY, ON
MONDAY 24TH SEPTEMBER 2007**

CATHAOIRLEACH

Cllr. S. Canney

I LATHAIR FREISIN

Cllrs. W. Burke, S. Connaughton, J. Conneely, D. Connolly, M. Connolly, Comh S. O'Cuaig, Cllrs. J. Cuddy, P. Feeny, P. Hynes, J. Joyce, C. Keaveney, S. Kyne, T. Mannion, M. Mullins, J. McDonagh, T. McHugh, Comh C. Ní Fhatharta, S. O'Tuairisg, Cllrs. M. Regan, T. Reilly, J. Tierney, S. Walsh, T. Walsh, T. Welby, B. Willers,

Oifigigh

Ms Martina Moloney, County Manager; Messrs. J. Cullen, F. Gilmore, K. Kelly, Directors of Service; G. Mullarkey, Head of Finance, T. Murphy, County Secretary; M. Duane, P. Delaney, Clerical Officers.

FINANCIAL REPORT FOR THE PERIOD ENDED 30th JUNE 2007

1369

Mr. Mullarkey referred to the Financial Report for the period ended 30th June 2007, which had been circulated to each member and outlined the contents of the report. He referred to each programme group and summarised the income and expenditure for the period and stated that overall, the figures were broadly in line with expectations. He said that he would be pleased to provide any additional information that the members required in relation to the report.

Cllr Burke asked, if, with regard to expenditure on the Water Services Programme, it refers to total spending. Mr Cullen replied that this figure does not take into account the capital expenditure of €70million. Cllr Burke also asked for the report to date on water and sewerage capital expenditure and was advised that this matter would be addressed at the full Council meeting.

Cllr Cuddy asked if there was an update on the development contributions collected from each Electoral area. Mr Mullarkey said that he hoped to be in a position to provide an updated report on contributions collected in 2006 at the next Council meeting, he confirmed that a total figure of approximately €11 million was collected in 2006.

In reply to Cllr Cuddy, Mr. Mullarkey advised that under the new Development Contribution Scheme there is no charge raised for road works. He also advised that some of the funds collected under the old development contribution scheme had been allocated to the roads department and that a portion of this funding would go towards the improvement of footpaths in each electoral area.

Cllr Willers queried from which Programme Group the funding for a public toilet in Gort could be sourced. Mr. Cullen replied that the public toilets would be funded under Programme 3. He said that any funding for public toilets would have to be provided from the Councils own funds when preparing the Budget.

Cllr Regan queried if the development contributions amounting to €11million had been distributed. Mr Mullarkey said that the proposals for the distribution of these funds would be addressed in the aforementioned report.

Cllr Reilly referred to ongoing technical problems with the public toilet that had been installed in Tuam town. Mayor Canney suggested that this matter would be more appropriate for discussion at the area meeting.

Minutes of Finance Meeting held on 24th September 2007

Cllr Feeney referred to the provision of recreation and amenity facilities. He said that the provision of new playgrounds around the County was very welcome but that a maintenance programme should be put in place and a specific budget allocated for same. Mr Kelly replied that this matter was currently being examined. He also said that the Council had invited submissions from communities on Recreation & Amenity Projects which they wished to develop and that it was intended to re-advertise for submissions as the response was not as great as had been expected.

Críochnaigh an cruinniú ansin.

Submitted, Approved & Signed

Aoife Bannery

22nd October 2007

Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL
HELD AT ARAS AN CHONTAE, PROSPECT HILL ON TUESDAY, 11TH
SEPTEMBER, 2007

CATHAOIRLEACH

Mayor S. Canney

ILATHAIR FREISIN:

Baill:

Cllrs. W. Burke, S. Connaughton, J. Conneely, M. Connolly, Comh. S. O'Cuaig, P. Feeney, M. Hoade, P. Hynes, J. Joyce, C. Keaveney, S. Kyne, T. Mannion, T. McHugh, M. Mullins, Comh. S. O'Tuairisg, Cllrs. M. Regan, T. Reilly, S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager, Messrs Gilmore, J. Morgan, F. Dawson Directors of Services; M. Lavelle, Senior Engineer T. Murphy, County Secretary, D. Barrett, Senior Executive Officer, and R. O Boyle, Staff Officers.

Thosnaigh an cruinniu leis an paidir

CONGRATULATIONS

1365

Cllr. T. Walsh proposed a vote of congratulations to Mr. P.J. Fahy, Knockmascahill, Glenamaddy on his Greyhound winning the Derby recently.

A vote of congratulations was extended to the Galway Under 21 Hurling Team who won the All Ireland Final over the weekend.

A vote of congratulations was extended to both Cllr. Ciaran Cannon and Cllr. Fidelma Healy-Eames on their recent election to Seanad Eireann. The Members wished both former Councillors the best of luck in their new posts, and complimented them on the hard work they had done as Members of Galway County Council. The County Manager, also congratulated the two new Senators and said it was of great importance to the County to have two new Members in the Oireachtas.

RESOLUTIONS OF SYMPATHY

1366

A Resolution of Sympathy was extended to:-

Ms. Leonie Divilly of Colemanstown, whose Father and Mother died within a few days of each other. Mrs. Anne Divilly was a candidate in the last Local Elections.

It was proposed by Cllr Mannion, seconded by Cllr. Mullins, and agreed that Item No 2 on the Agenda be taken as the first item on the Agenda.

REQUEST BY CLLR. M. FAHY PURSUANT TO SECTIN 18 OF LOCAL GOVERNMENT ACT 2001

1367

On the proposal of Cllr. Regan, seconded by Cllr. Mannion it was agreed that Section 18 (4) (a) of the Local Government Act, 2001 not apply to Cllr. Michael Fahy of Caherduff, Ardahan Co. Galway, as his absence from the Local Authority Meetings in March and April 2007 had been due to illness and his attendance in Dublin..

THE SHANNON/HEATHROW SERVICE – UPDATE – THE ATLANTIC CONNECTIVITY ALLIANCE BUSINESS CASE.

1368

The Mayor referred to the recent decision by Aer Lingus to discontinue the Shannon/Heathrow service, He said that he and the County Manager has attended a meeting in Shannon chaired by the Mayor of the County of Clare and which was also attended by the Mayors and managers from the Western Seaboard. He referred to the Business Case, already circulated, which had been prepared by the Atlantic Connectivity Alliance setting out the problems arising out of this decision. He informed the Members that this case is still being fought and that the Mayor of Clare County Council is keeping him updated on the situation.

He asked that the Members of Galway County Council fully support and endorse the objective as set out in the Business Case to reinstate the Shannon/Heathrow service and to strongly object to the discontinuance of the service.

The Members of the Council thanked the Mayor for calling this important Meeting. They thanked both the Mayor and the County Manager for taking such a proactive approach to this problem. The following views were expressed by the members:-

- The timing of the Announcement to discontinue the service was made on a Bank Holiday when a lot of the decision makers were out of the Country.
- Huge public support for the service and an important issue for the region
- Damage to employment levels in the region
- Call on the Government to play an active role to ensure that the Shannon/Heathrow Service is retained.

Minutes of Special Meeting 11th September 2007

- Government have sold out on the West,
- The Government's 25% Stake was supposed to protect the National Interest.
- Damage to Tourism will be very significant
- Government out of touch, West and Mid West being neglected and should unite to tackle this issue
- Major Companies need Shannon as they need to connect with airlines operating out of Heathrow. Only a matter of time before these companies pull out of Shannon.. Significant challenges for these companies. People have invested heavily in West of Ireland, they will relocate elsewhere.
- IDA supposed to be coming to Athenry – why would they come if there is no connectivity.
- Strategically Important for the economy of the West and also for workers in the area
- Why did Aer Lingus decide to give away such a significant resource – Heathrow is the largest hub in the world.
- TD's from all parties should support a motion to be put in the Dáil to retain the Shannon/Heathrow service.
- It doesn't make sense to dispense with a profit making route.
- Get Slots to Heathrow regardless of Carrier
- Oireachtas Members in the West should stand together and support the Connectivity Alliance in having this decision reversed.

It was agreed unanimously to support the motion as proposed.

The Mayor thanked the Members for their attendance and support.

CRIOCHNAIGH AN CRUINIÚ ANSIN

Submitted, Approved & Signed

Deán Kenney

22nd October 2007

Date

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 23rd
JULY 2007.**

CATHAOIRLEACH: Cllr. S. Canney

ILATHAIR FREISIN:

Baill: Cllrs. W Burke, S Connaughton, J. Conneely, D. Connolly, M. Connolly, Comh. S. O’Cuaig, Cllrs. J. Cuddy, P. Feeney, F Healy Eames, M Hoade, P Hynes, J. Joyce, C. Keaveney, T. Mannion, T McHugh, M. Mullins, Cllrs. M. Regan, T. Reilly, J Tierney, S. Walsh, T. Walsh, B. Willers.

Oifigigh: Ms. M Moloney, County Manager; Messrs. J. Cullen, J Morgan, P. Ridge, F Gilmore, K Kelly, F Dawson, Directors of Service; L. Gavin, M. Lavelle, Senior Engineers; T. Murphy, County Secretary; D. Barrett, A. Comer, C. Wallace, G Scully, Senior Executive Officers; Catherine McConnell Senior Planner, A. Farrell, A/Senior Executive Officer; M. O’Donnell, Administrative Officers; M. McGrath, Senior Staff Officer; P. O’Neachtain, Oifigeach Gaeilge; J Keane, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

The Mayor and members welcomed the new County Manager, Ms. Martina Moloney to the Council and wished her a long and successful career as Galway County Manager.

The County Manager thanked the members and staff for their warm welcome and said that she looked forward to working with them. She stated that the County faced great challenges but also great opportunities.

RESOLUTIONS OF SYMPATHY

1329

A Resolution of sympathy was extended to the following:

Minutes of Monthly Meeting held on 23rd July 2007

Mrs. Julia Dolan & Family, Kilcloghans, Tuam, Co. Galway
Mr. Mattie & Ann Donnellan, Carrownagoppal, Mountbellew, Ballinasloe, Co. Galway
Mrs. Liz Ansbro & Family, Cartron, Tuam, Co. Galway
Mr. Joe Johnston, Kilclooney, Ballinasloe, Co. Galway
Mrs. Kitty McNamee & Family, Lake Road, Loughrea, Co. Galway
Mr. Pat Brien, Lurgan, Killimor, Ballinasloe, Co. Galway

CONFIRMATION OF MINUTES OF MEETINGS.

1330

The Minutes of the Monthly Meeting held on 25th June 2007 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. Mannion.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION

1331

The Report of the Housing SPC Meeting held on 6th March, 2007 was considered. It was adopted by the Council on the proposal of Cllr. T Walsh, and seconded by Cllr. Mullins.

The Report of the Housing SPC Meeting held on 27th June, 2007 was considered. It was adopted by the Council on the proposal of Cllr. Mullins, and seconded by Cllr. Cuddy.

Arising from the Report, Cllr. Cuddy asked had the proposal at the last council meeting for the current purchase scheme to be amended been sent to the Minister.

Mr. Gilmore said that what had been agreed at the meeting would be forwarded to the Minister.

Comh O'Cuaig wanted to know what the completion dates for the Carna, An Cheathrú Rua and Leitir Mealláin housing schemes were.

Mr. Gilmore said that Leitir Mealláin was completed and that the other two schemes would be completed in the next four or five months.

The Report of the Loughrea Area Committee Meeting held on 27th June, 2007 was considered. It was adopted by the Council on the proposal of Cllr. Regan, and seconded by Cllr. Willers.

The Report of the Loughrea Area Committee Meeting held on 9th July, 2007 was considered. It was adopted by the Council on the proposal of Cllr. Regan, and seconded by Cllr. Willers.

Arising from the Report, Cllr. Burke proposed the outright objection of Galway County Council to the proposed Incinerator at Tynagh, Co Galway. He said the support of the Council should be given to the people of East Galway in their opposition to the proposed Incinerator and that the City should deal with its own waste.

Cllr D Connolly said he wished to support Cllr Burkes proposal and that Tynagh was a totally unsuitable site.

Cllr Willers said that this project was being hoisted on the Community through the Strategic Infrastructure Act. She said it was time for the Minister for the Environment to declare where he stands on the issue of Incinerators.

Cllr Mullins said he strongly supported the people of East Galway and that they had taken more than their fair share of hardship in relation to Waste Management. He said the whole process lacked openness and that no one even knew who the applicants were.

Cllr Feeney said that Galway East had done more than its fair share for waste management. He said the issue of the incinerator would dominate the lives of the people of Tynagh for years to come and he said he would expect the Council to support these people.

Cllr Joyce said that a landfill had been imposed on the people of Kilconnell and the Community had been divided on the issue. He also said that the Tynagh area has inadequate roads for such a facility.

Cllr Mannion said that East Galway was a dumping ground for not alone Galway but for the Connacht Region also. He said that the City Council decided not to have any incinerators within the City and that they had washed their hands in relation to waste management.

Cllr Regan asked that the County Manager visit the Tynagh site.

The County Manager said that she would visit the site at the appropriate time in the decision making process.

The Report of the Tuam Area Committee Meeting held on 20th June, 2007 was considered. It was adopted by the Council on the proposal of Cllr. Reilly, and seconded by Cllr. McHugh.

Arising from the report Cllr McHugh said that he was not happy with the condition of the streets in Dunmore. He asked what had happened in relation to the proposed meeting with the NRA regarding roads funding.

Mr. Murphy said that he had been in discussion with the NRA and it was hoped that this meeting would take place as soon as possible.

Mr. Morgan said that the Council had been in discussions with the NRA in relation to Dunmore and that there was disagreement as to what the appropriate solution should be. He said this would be resolved as soon as is possible.

Cllr M Connolly asked had the possibility of lights being installed in Dunmore been looked at.

Mr. Morgan said the NRA had rejected this option as not being a suitable solution.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 - QUALITY BUS CORRIDOR, CLAREGALWAY.

1332

Report dated 16th July was circulated to Each Member

Cllr Cuddy said that he had consulted with the people of Claregalway and that they were not against the project but were unhappy with some of the proposals. He asked how far back from the junction would the two lanes of traffic start on the N18 leading to the N17. He said the traffic lights at Claregalway Hotel will hinder traffic flow. He said the existing raised islands were useful to decrease traffic speeds and their proposed removal will increase this and as there will be three lanes of traffic it will be more difficult than ever to cross the road. He suggested that Council staff would meet the businesses, residents and the Development Association before any works are commenced. He also wanted to know when the traffic plans for Loughgeorge will be implemented.

Cllr Hoade said that people felt that they were not properly consulted in relation to the proposals. She wanted to know what the bus lane times were and whether the bus lanes would be open to other traffic outside the designated bus times. She asked would the work on the bus lane take place at night and she said that the public display process for the project should have taken place in the Area Office in Lackagh and not County Hall because of the unsuitable times.

Cllr Reilly said that he had spoken to the Bus operators and they were delighted with the proposal. He asked whether the bus corridor would operate on a five or seven day week basis.

Cllr M Connolly said the Council website and Lackagh Area Office could have been used to inform the public during the consultation process.

Cllr McHugh welcomed the proposal and said consideration should be given to putting in a park and ride facility North of Claregalway village. He said the works for the bus corridor should incorporate other civil works such as waste water treatment and storm water facilities.

Cllr Connaughton welcomed the proposal and said that the private bus operators had difficulties sustaining their business and she hoped that the QBC would mean people going back to using buses again.

Mr. Lavelle said that the bus corridor was not going down the N18 and that the only works on the N18 would be the provision of left and right turning lanes only onto the N17. He said the traffic lights would be the "Smart" system similar to the ones in

Cammore and that there should not be a back up of traffic. He stated that he would meet with the community in Claregalway before works commenced.

Cllr Cuddy said that he wanted it noted that he feels works should be extended to remove the potential danger to pedestrians of people overtaking on the left hand lane. He asked would the footpaths on the N17 be going as far as the Cregboy Junction.

Mr. Lavelle confirmed this and also that street lighting would be provided.

Ms. McConnell said that it was proposed that the bus corridor would be operated by the private sector but that the provision of a licence to Galway County Council could be considered.

Mr. Lavelle said that the corridor would probably be one year in construction and that the Northern and Southern sections could be easily completed. The middle section would be the more difficult to complete as Broadband, Sewer and Gas facilities were also to be provided.

He said in relation to the proposed works at Loughgeorge that the Council was awaiting a safety audit from the NRA. He said the QBC would be in place seven days a week due to the traffic volumes. He said that the width of the existing roadway in the context of the QBC meant that the right turning lane in the village would be removed. He said there is no provision for a right turning lane into Claregalway village.

On the proposal of Cllr. McHugh, seconded by Cllr. Reilly, the proposed Quality Bus Corridor at Claregalway was approved.

SUSPENSION OF STANDING ORDERS

On the proposal of Cllr. Cuddy, seconded by Cllr. Mannion, it was agreed that the Standing Orders of the Council be suspended so that the Meeting could continue after 6 p.m.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – CONSTRUCTION OF SINGLE RURAL HOUSE AND EFFLUENT TREATMENT SYSTEM OF KILGILL, CLAREGALWAY, CO. GALWAY

1333

Report dated 19th June, 2007 was circulated to Each Member.

On the proposal of Cllr. Hoade, seconded by Cllr. Healy Eames, the proposed construction of single rural house and effluent treatment system of Kilgill, Claregalway, Co. Galway was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – LOUGHREA LAKESIDE WALK 1334

Report dated 16th July, 2007 was circulated to Each Member.

On the proposal of Cllr. Hynes, seconded by Cllr. Willers, the proposed Loughrea Lakeside Walk was approved.

Cllr Hynes thanked all the Council staff for getting the project to this stage.

TO CONSIDER THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON VARIATION NO. 8 TO THE COUNTY DEVELOPMENT PLAN 2003-2009 AS PER SECTION 13 (5) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED.

1335

The Mayor invited Mr Gavin to present the Manager's Report on the submissions received on Variation No 8 to the County Development Plan 2003-2009.

Mr Gavin stated that Variation No 8 was on public display between 10 May 2007 and 8 June 2007 during which time 14 submissions were received.

He added that in accordance with Section 13(4) of the Planning and Development Act 2000 as amended a report had been prepared for consideration by the members and stated that the members' consideration of this report and proposed variation must be completed by the 6/8/2007

He added that all of the issues were assessed under the following five categories:

Issues

1. Environmental Assessments
2. Inner Relief Roads
3. Amendments to Variations
4. Impact on Rivers
5. Impact on Development

He commenced with Issue 1

Issue 1 – Environmental Assessment

Submissions: 6, 13

Issue 1A

Most of the major schemes are the subject of an E.I.A. however many of the inner relief roads will be sub-threshold for mandatory E.I.A.

Response

All of the major schemes are the subject of an Environmental Impact Assessment (E.I.A.). Whilst the inner relief routes may be sub threshold for E.I.A. they will all be subject to an environmental report and assessment along with planning regulatory requirements.

Recommendation

Proceed with Variation 8 as proposed.

Issue 1B

Minutes of Monthly Meeting held on 23rd July 2007

The SEA screening report concludes that an S.E.A. is not necessary for the proposed variation. The reasoning is not in line with the S.E.A. requirements and guidance on screening from the E.P.A.

Response

From the screening report it was very clear, early in the process that an S.E.A. was not required as the main purpose of this variation is to clarify and prioritise key transportation policies and objectives. In making the variation the plan remains virtually unchanged with no significant additional environmental impacts. All of the objectives had already previously identified the roads infrastructure programme. The only addition is Tuam Inner Relief route which is not sufficiently significant in the overall programme context to warrant an S.E.A. Additionally the transport policies and objectives were subject to a strategic environmental assessment to comply with Section 10(5) (a) of the Planning and Development Act 2000, when the Galway County Development Plan 2003-2009 was being adopted.

Recommendation

Proceed with the Variation 8 as proposed.

Issue 1C

All roads projects listed have the potential to have significant effects on the environment individually and collectively. Overall impacts of road networks at a strategic level will have a greater impact on the environment.

Response

The overall impact of the road network was considered when the strategic environmental report was done as part of the preparation of the current County Development Plan 2003-2009

Recommendation

Proceed with Variation 8(i) to 8(vii) as proposed.

Issue 1d

Amendment to the Plan provides a framework for development consent for projects and is a significant modification to the existing plan.

Response

The amendments to the plan are not a framework for consent. The amendments prioritise these key infrastructure policies and objectives over others in the County Development Plan. They are not a significant modification as the overall Transport Programme is much the same. Each project will additionally be subject to rigorous E.I.A. and planning requirements, with public input.

Recommendation

Proceed with Variation 8(i) to 8(vii) as proposed.

Issue 1e

Council's findings with respect to the need for an SEA is flawed. Not all projects will be subject to an E.I.A.

Response

From the screening report it was very clear, early in the process that an S.E.A. was not required as the main purpose of this variation is to clarify and prioritise key transportation policies and objectives. In making the variation the plan remains virtually unchanged with no significant additional environmental impacts. All of the objectives had already previously identified the roads infrastructure programme. The only addition is Tuam Inner Relief route which is not sufficiently significant in the overall programme context to warrant an S.E.A. Additionally the transport policies and objectives were subject to a strategic environmental assessment to comply with Section 10(5) (a) of the Planning and Development Act 2000, when the County Development Plan 2003-2009 was being adopted.

Recommendation

Proceed with Variation 8 as proposed.

Issue 1f

E.I.A does not provide strategic overview of interconnected road network.

Response

The overall impact of the road network was considered when the strategic environmental report was done as part of the preparation of the current County Development Plan 2003-2009

Recommendation

Proceed with Variation 8 as recommended.

Issue 1g

There will be significant negative effects on Natura 2000 sites.

Response

Any route impacting on Natura 2000 sites or other designated sites will be the subject of rigorous environmental assessment, planning assessment and public scrutiny. Such assessment is likely to have mitigation measures to protect designated sites.

Recommendation

Proceed with Variation 8(i) to 8(vii) as proposed.

Issue 1h

Impacts on archaeological remains is inevitable

Response

Full archaeological assessments will be undertaken on roads projects to protect and preserve our archaeological heritage.

Recommendation

Proceed with Variation 8(i) to 8(vii) as proposed.

Issue 1i

Department advises Council of their obligations to screen the proposed S.E.A. in accordance with the requirements of the Planning and Development (S.E.A.) Regulations 2004.

Response

From the screening report it was very clear, early in the process that an S.E.A. was not required as the main purpose of this variation is to clarify and prioritise key transportation policies and objectives. In making the variation the plan remains virtually unchanged with no significant additional environmental impacts. All of the objectives had already previously identified the roads infrastructure programme. The only addition is Tuam Inner Relief route which is not sufficiently significant in the overall programme context to warrant an S.E.A. Additionally the transport policies and objectives were subject to a strategic environmental assessment to comply with Section 10(5) (a) of the Planning and Development Act 2000, when the County Development Plan 2003-2009 was being adopted.

Recommendation

Proceed with Variation 8(i) to 8(vii) as proposed.

Issue 2 – Inner Relief Roads

Submissions: 3, 4, 7, 8, 9, 10, 11, 14

Issue 2a

Minutes of Monthly Meeting held on 23rd July 2007

Objection to the proposed inner relief road for Clarinbridge. Line of relief route is ecologically sensitive, vulnerable and under threat. Road construction would damage the oyster beds. Inner bay designated.

Response

There is no line of an inner relief road for Clarinbridge yet defined. To date only access points for the creation of streetscapes have been identified in the Clarinbridge Local Area Plan. Any new inner relief road would examine all route options east and west of the town and would be subject to the Part 8 planning process and a rigorous environmental assessment, when chosen. Road construction would not damage the oyster beds and any designations of the bay or area would be taken account of when considering the design of any future road.

Recommendation

Proceed with variation 8(vii) as proposed.

Issue 2b

Objections to alterations 8(ii) and 8(vii). For 8(ii) the proposed new route from Oranmore to Gort should require an E.I.A. Identify risks to water quality and the environment

Response

The proposed new motorway route from Oranmore to Gort is subject to a full E.I.A. and environmental assessment of the risks to water quality and the environment.

Recommendation

Proceed with variation 8(ii) as proposed.

Issue 2c

For 8(vii) the proposal to provide an inner relief road in Clarinbridge would interfere with water quality and natural views.

Impact of Variation No 8(vii) – the amendment of objective 17 for the construction of inner relief roads will have a significant impact.

Response

Any proposal for an inner relief road in Clarinbridge when it is being done will be the subject of a full planning and environmental assessment. Water quality and natural views will be considered in detail at that stage.

Recommendation

Proceed with variation 8(vii) as proposed.

Issue 2d

Object to the proposed inner relief road in Clarinbridge as the road will be unnecessary and unsightly: Will need to protect the shellfish and take appropriate action before proceeding with the inner relief road.

Note that a relief road through or to the seaward side of Clarinbridge village would endanger its heritage and its environment. Any new road through or near the village would detract from the residential ambience and increase the traffic hazard level.

Response

The point relating to a relief road on the seaward side of Clarinbridge is noted. No relief road of the village of Clarinbridge is yet designed. In the design of a relief road the residential ambience and traffic safety will be major considerations. A relief route will be the subject of future planning and environmental assessments.

Recommendation

Proceed with variation 8(vii) as proposed.

Issue 2e (i)

The proposed Tuam inner relief road will have a significant negative impact on Presentation College Currylea. The proposed route through this community facility will remove the use of this recreational area which is important to the school.

Response

1. Presentation College is owned by the Presentation Order and they are in negotiation with the O'Toole development.
The existing school is included in the amalgamated school proposal at present being examined by the O.P.W.
The route of the inner relief road is the same as the route proposed by O'Toole.
2. Alternative temporary location for tennis courts provided in Palace Grounds until amalgamated school constructed.
- 4a Tennis courts to be increased in size in Palace Grounds and replacement area in accordance with existing facility.
- 4b Adjoining school and swimming pool – not more than 200 metres away from school.

Recommendation

Proceed with variations as proposed.

Issue 2e (ii)

Proposed route for the Tuam inner relief road will have a significant negative impact on Tuam Tennis Club

Response

As part of the negotiations between the O'Toole developers and the Presentation Order Galway County Council indicated their preference for the inner Relief Road as shown. This involved traversing the lands owned by the Presentation Order and used by the Tennis Court/Club. Galway County Council agreed to a relocation of the Tennis Courts on a temporary basis (pending the finalisation of the new amalgamated schools in Tuam). The upgrading of the existing tennis courts in the Palace Grounds are part of the proposals.

Recommendation

Proceed with variations as proposed.

Issue 2f

Note that Tuam Inner Relief Road was not previously in the County Development Plan. Tuam inner relief road is not identified to date in the County Development Plan.

Response

It is correct to note that Tuam Inner Relief route has not been identified to date in the County Development Plan. In screening the policy and objectives the fact that Tuam Inner Relief Road was not included was noted. The purpose of the variation is to prioritise, include and identify Tuam Inner Relief road in the County Development Plan. The route will be the subject of detailed planning and environmental reports to consider all of the detailed issues raised.

Recommendation

Proceed with variation 8(vii) as proposed.

Issue 2g

SEA is required as Tuam inner relief road is not a major road project.

Response

An environmental report will be required in conjunction with the planning requirements for the design and provision of the Tuam Inner Relief route.

Recommendation

Proceed with variation 8(vii) as proposed.

Issue 3 – Amendments to Variations

Submissions: 2, 12

Issue 3a

Minutes of Monthly Meeting held on 23rd July 2007

Propose changes to the wording for variation no. 8(iv) relating to the new strategic route from Galway to Ros a Mhíl. They proposed the wording
“facilitate the development of a new motorway/dual carriageway/single carriageway as a strategic route from Galway to Screebe that would link with Ros a Mhíl harbour”.

Response

Linking Galway to Ros a Mhíl and Screebe is worthwhile and in accordance with good planning. However the route should proceed from Galway to Ros a Mhíl and north to Screebe.

Recommendation

Proceed with the amended variation which reads:

“Facilitate the development of a new motorway/dual carriageway/single carriageway as a strategic route from Galway to Ros a Mhíl harbour and continue on to Screebe”.

Issue 3b

The National Roads Authority recommended that variation No 8(vi) be amended to read
“Investigate and facilitate if required the construction of a motorway/dual carriageway from the Tuam bypass north to the County boundary along a new alignment”.

Response

The amendment as proposed to variation 8(vi) is acceptable and will be able to take account of national policy when proceeding with this section of the N17 route.

Recommendation

Proceed with the amended variation which reads:

“Investigate and facilitate if required the construction of a motorway/dual carriageway from the Tuam bypass north to the County boundary along a new alignment”.

Issue 4 – Impact on Rivers

Submission: 1

Issue 4a

The road works facilitated by the variations will require road crossings which will affect newly designated S.A.C's e.g Rivers Clare, Abbert and Grange.

Response

All roads schemes are the subject of detailed environmental assessment with mitigation measures proposed when necessary. River crossing in environmentally sensitive areas will be the subject of careful design and construction, all of which is subject to planning and environmental assessment. Care will be taken to ensure minimal impact of schemes.

Recommendation

Proceed with variations as proposed.

Issue 5 – Impacts on Development

Submission 1, 5, 13

Issue 4b

Town By-Passes will give rise to zoning and development pressure adjacent to these new roads. This has implications for capacity of wastewater collection and treatment systems.

Response

The fact that road development may give rise to zoning and development and a consequent need for water and wastewater infrastructure is separate to the proposed variation 8. However all of the knock on effects of improved roads infrastructure can and will be dealt with through separate planning and environmental assessment. E.I.A. and full planning assessments will be done for projects.

Recommendation

Proceed with variation 8 as proposed.

Issue 5b

Clarify status of each road scheme listed with the National Roads Authority

Response

The status of each road scheme will be clarified and agreed at a national and regional level with the National Roads Authority (N.R.A.). The variations as proposed provide the scope and flexibility for agreement to be easily reached between the N.R.A. and this Council.

Recommendation

Proceed with the variations 8(i) to 8(vii) as proposed.

Issue 5c

Udáras na Gaeltachta strongly support variation 8 because it will have a positive impact not only on transport services to West Galway but on the West Region as a whole in making it attractive as a business and investment location.

Response

The support of Údaras is noted and acknowledged.

Recommendation

Proceed with variations as proposed.

Conclusion

Having considered the submissions and the variations 8(i) to 8(vii) as proposed it is recommended that variations 8(i), 8(ii), 8(iii), 8(v) and 8(vii) should be amended as proposed.

Variation 8(iv) should be amended to read:

“Facilitate the development of a new motorway/dual carriageway/single carriageway as a strategic route from Galway to Ros a Mhíl harbour and continue on to Screebe”.

And Variation 8(vi) should also be amended to read:

“Investigate and facilitate if required the construction of a motorway/dual carriageway from the Tuam bypass north to the County boundary along a new alignment”.

On the proposal of Cllr Mullins and seconded by Comh. Ó Cuaig it was agreed to accept the recommendations in the Manager’s Report

TO ADOPT GALWAY COUNTY COUNCIL (AN SPIDÉAL PIER) EXPLOSIVE BYE-LAWS 2007.

1336

Report dated 17th July, 2007 was circulated to Each Member.

On the proposal of Cllr. Conneely, seconded by Comh O’Cuaig, the Galway County Council (An Spidéal Pier) Explosive Bye Laws 2007 were adopted.

SPEED LIMIT REVIEW UPDATE

1337

Mr. Dolly’s report was circulated to each member.

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Cllr Mannion said that there were a number of submissions made from towns that were not included in the report and the details in relation to some towns that are included do not match what was submitted for them.

Cllr Mullins said that the report would have to back to the Electoral Area Committees for further discussion.

Cllr D Connolly asked what would happen to the submissions that were made.

Mr. Morgan said a response would be sent back to the electoral areas committee meetings.

In reply to Cllr. Feeney, Mr. Morgan said that the review process would be completed in May 2008.

Cllr Mannion said that the process could go on indefinitely. He said he wanted the draft distributed at today's meeting withdrawn and another one which includes all of the proposals submitted to be redistributed.

HIGHER EDUCATION GRANTS SCHEME 2007.

1338

Report dated 17th July, 2007 was circulated to Each Member.

On the proposal of Cllr. McHugh, seconded by Cllr. Tierney, the Higher Education Grants Scheme 2007 was approved.

ELECTION OF CHAIR OF CORPORATE & CULTURAL AFFAIRS STRATEGIC POLICY COMMITTEE

1339

Report dated 17th July, 2007 was already circulated to Each Member informing them that Cllr.C. Keaveney had resigned as Chairperson of the Corporate & Cultural Affairs Strategic Policy Committee. Cllr. Mullins proposed that Cllr. D. Connolly be appointed as Chairperson of the Corporate & Cultural Affairs Strategic Policy Committee and this proposal was seconded by Cllr. P. Hynes and agreed.

ELECTION OF CHAIR OF ROADS & TRANSPORTATION STRATEGIC POLICY COMMITTEE

1340

Report dated 17th July, 2007 was already circulated to Each Member informing them that Cllr. S. O'Cuaig had resigned as Chairperson of the Roads & Transportation Strategic Policy Committee Cllr. S. O'Cuaig proposed that Cllr. Hynes be appointed as Chairperson of the Roads & Transportation Strategic Policy Committee and this proposal was seconded by Cllr. Willers, and agreed.

TO APPROVE AMENITY GRANTS 2007 (5TH ROUND ALLOCATION)

1341

Minutes of Monthly Meeting held on 23rd July 2007

Report dated 17th July, 2007 was circulated to Each Member.

On the proposal of Cllr. McHugh, seconded by Cllr Reilly, the following Amenity Grants 2007 (5th round allocation) – were approved;

Amenity Grants Scheme 2007 5th Round Allocation - July Meeting of Galway County Council

Ref No	Group	Proposal & Conditions	Area	Amount Recommended (€)
<u>A07/88</u>	<u>Kilconly Football Club, Tuam</u>	Construct pathways on both sides of field from carpark to existing shelters to accommodate wheelchair use Note: Approval subject to evidence that Planning Permission not required on all 3 items	Tuam	€1,000
<u>A07/20</u>	<u>Ballymoe Dev. Centre Ltd</u>	Seating, and purchase of basket ball posts Note: Seating style to be agreed prior to commencement	Tuam	€600
<u>A07/23</u>	<u>Cloughanower Social Club, Headford</u>	Replace three wooden gates & provide additional gate at social club site	Oranmore	€1,000
<u>A07/16</u>	<u>Abbey Community Dev. Assoc, Kylebrack Loughrea</u>	Complete works – Kylemore Road Funding towards the upkeep of grounds, grass cutting, landscaping and shrubs	Loughrea	€1,000
<u>A07/52</u>	<u>Oughterard Tidy Towns</u>	Planting work to be phased based at riverbanks. Note Matching funding by local fundraising	Connemara	€2,500
<u>A07/92</u>	<u>Kiltormer GAA Club</u>	Upkeep of facilities-remark floor markings and	Ballinasloe	€2750

Minutes of Monthly Meeting held on 23rd July 2007

		purchase of sports equipment		
<u>A07/99</u>	<u>Belleville/Knockbrack Cross Scheme</u>	Funding towards the purchase of trees, shrubs , grass cutting	Oranmore	€500
<u>A07/108</u>	<u>Eyrecourt Community Centre Committee</u>	Fund painting of community centre, externally.	Ballinasloe	€1,000
<u>A07/112</u>	<u>Killimor & District Dev</u>	Funding towards Purchase of trees and shrubs only	Ballinasloe	€600
<u>A07/103</u>	<u>Palace Grounds Committee</u>	Replacing Fencing and painting	Tuam	€2,000
<u>A07/122</u>	<u>Gortanumer a Dev. Assoc</u>	Funding towards general maintenance, grass cutting, Hedge Trimmer ONLY	Loughrea	€500
<u>A07/30</u>	<u>Clifden Boat Club</u>	Funding towards the Upgrade of club facilities & assist most community events and tourist visitors to area	Connemara	€1,000
<u>A07/67</u>	<u>Clarenbridge Arts Festival</u>	Funding towards notice boards. Boards to be used also by other groups in the area and location of boards to be agreed with Area Engineer/ Conservation Officer	Loughrea	€1,000
<u>A07/110</u>	<u>Old Tuam Society</u>	Funding towards the World War 2 Memorial garden	Tuam	€3,000
<u>A07/64</u>	<u>Headford District Assoc</u>	Design & erect two information signs/boards. – Note: Subject to agreement of location and design with Area Engineer and Forward Planning	Oranmore	€1,000

Minutes of Monthly Meeting held on 23rd July 2007

<u>A07/10</u>	<u>Comhar Caomhan Teo</u>	Bairilí Bruscar agus suichán Poiblí, cuid bord picnic, comh maith le plandaí agus crann	Connemara	€3,000
<u>A07/90</u>	<u>Ard Aoibhinn Residents, Monivea</u>	Upkeep of green area and flowers	Ballinasloe	€700
<u>A07/118</u>	<u>Cois na hAbhainn Residents Assoc, Portumna</u>	Funding towards planting trees & shrubs and maintenance of estate	Loughrea	€700
<u>A07/119</u>	<u>St. Josephs Park Residents, Killimor</u>	Funding towards Planting and maintenance of estate.	Ballinasloe	€700
<u>A07/80</u>	<u>Ahascragh/ Fohenagh Hurling Club</u>	Funding towards upgrade of lighting		€2,500
<u>A07/77</u>	<u>Loughnane & Quinn Memorial Hall, Ardrahan</u>	Funding towards new doors, general maintenance and painting		€3,750

Total Allocation – July 2007
€30,800

**TO APPROVE COMMUNITY BASED ECONOMIC DEVELOPMENT
FINANCIAL ASSISTANCE SCHEME GRANTS 2007 (5TH ROUND
ALLOCATION).**

1342

Report dated 17th July, 2007 was circulated to Each Member.

On the proposal of Cllr. McHugh, seconded by Cllr Mannion, the following Community Based Economic Development Financial Assistance Scheme Grants 2007 (5th round allocation) were approved:

**Community Based Economic Development Grant Scheme 2007
5th Round Allocation**

Ref No	Group	Proposal	Area	Amount Recommended
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Minutes of Monthly Meeting held on 23rd July 2007

E07/45	Killierin Comm. Council	Construction and conversion of section of hall to meeting room(internal)	Tuam	€4,000
E07/27	Comhairle Muintir An Chaiseal Teo	Funding towards development of Digital video editing service and dvd production to produce multi-media service to local community.	Connemara	€2,500
E07/28	Multiple Sclerosis Flyers Loughrea	Funding to purchase PC's maintain Web - site and upgrade computer skills for M.S. sufferers in South East Galway	Loughrea	€2,000
E07/46	Portumna Castle, Crafts & Gardens	Contribution towards the craft fair 2007 and to continue with workshops and classes	Loughrea	€650
E07/67	Comhar Caomhán Teo, Inis Oirr	Taighde a dhéanamh agus plean a chur le chéile chun oifigí athchóirithe a dhéanamh	Connemara	€3,500
E07/04	Roundstone Dev. Council	Funding towards range of activities such as upgrade to community centre and. Tourism activities, working with young people & Local History project	Connemara	€4,000
E07/69	Letterfrack Tidy Towns	Funding towards preparation of small village plan. Project will consult with planning department on implementation of project	Connemara	€5,000
E07/52	Glinsk Ladies Club	Funding towards events for senior citizens	Tuam	€550
E07/09	Gort ICA	Funding towards building of new premises, in particular the lift and kitchen to	Loughrea	€12,500

Minutes of Monthly Meeting held on 23rd July 2007

		improve access and use of building		
E07/70	Connemara Tourism	Funding towards Promotion of Connemara area, publication of guide book	Connemara	€6,350
E07/17	Gort & South Galway Community Centre	Funding towards the works to increase size of community shop	Loughrea	€2,000

Total Allocation €43,050

TO APPROVE HERITAGE GRANTS SCHEME 2007.

1343

Report dated 16th July, 2007 was circulated to Each Member.

On the proposal of Cllr. Mullins, seconded by Cllr M Connolly, the Heritage Grants Scheme 2007 were approved.

Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
HG/07/01	Cloughanover - Heritage Group, Mattie Scales Rafee Headford	Compiling and publishing a Heritage Book on the Cloughanover area	3,000	1,200
HG/07/02	Comhairle Pobal an Spideil Aodan Mac Donncha An Spideal	Reilig Einde, An Spideal Conservation Report Moore Group	2,000	1,200
HG/07/03	Kiltartan Gregory Cultural Society, Sr. De Lourdes Fahy, Kiltartan Gregory Museum, Kiltartan, Gort	Kiltartan Museum - an ongoing project	1,000	800
HG/07/04	Ballymoe Heritage Group, Martina Swift/Finbar Mc Namara, Fr. Flanagan Memorial Centre, Ballymoe	Restore Bishop's Tomb in the local cemetery	1,000	800
HG/07/05	Lackagh Ladies Club, Mary Delaney, Lackagh, Turloughmore	Children's Camp - arts, crafts and cooking		550
HG/07/06	Cluide/ Cahermore Residence Ass, James Costello, Cluide,	Townland Roadside Lime - stone signs on solid concrete base	600	550

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Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
	Corrandulla,			
HG/07/07	Headford Women's Group Deanne Lockhart, Parish Centre, Headford	Heritage Awareness Talks and visits to promote Community Heritage	940	800
HG/07/08	Oughterard Culture & Heritage Group, Mary Kyne, Claremount, Oughterard	Preserve Materials – Publish Calendar 2007, Book & Archive Material	17,200	1,200
HG/07/09	Williamstown Heritage Company, Patrick Patterson, Islands, Williamstown	Completion of Restoration of Corn-drying Kiln at Templetogether Mill	800	800
HG/07/10	Roundstone Beaches Environmental Project, Joe Rafferty, Yellow House, Roundstone	Roundstone Beaches Environmental Project	4,000	1,000
HG/07/11	Old Tuam Society/ Lavally Group, Anne Tierney, 4 Bishop Street, Tuam	World War 2 Memorial Garden and Plaque	20,000	1,000
HG/07/12	Inishbofin Development Company, Simon Murray, Community Centre, Inishbofin	St. Coleman's Cemetery, Publish book – Photos Maps	20,000	1,200
HG/07/13	Forums Intergenerational Project'07 Geraldine Kelly, Forum, Ellis Hall, Letterfrack	Intergenerational Festival 2007	2,000	1,200
HG/07/14	The Old Tuam Society, Maurice Laheen, Old Road, Tuam	Video Tapes of Local History Interviews		800
HG/07/15	Killimor & District Development Society, Nuala McGann, The Heritage Centre (Heritage Room), Killimor, Ballinasloe	Research of History & Heritage of Killimorbologue	3,700	1,000

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Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
HG/07/16	Milltown Community Council, Margaret Carne, Fishermans Cottage, Cloondroon, Milltown	Walkway – Cloondroon Lake		1,000
HG/07/18	Cumann Staire Mhaighcuilinn, Community Office, Moycullen	Exhibition of Historic Photographs of Moycullen People		600
HG/07/19	Cumann Staire Mhaighcuilinn, Community Office, Moycullen	Preserve a pictorial record of Moycullen people Publication for wider community home & abroad		1,000
HG/07/20	B.R.B. Management Committee, Caitriona Ní Mhaoilchiarain, Old National School, Recess	Replanting of plant island	3,000	800
HG/07/21	Meelick-Eyrecourt GAA Club, Tommy Treacy, Chairman, Clonfert, Ballinasloe	History of GAA in Meelick-Eyrecourt-Clonfert		1,200
HG/07/22	Loughrea Environmental Group/Tidy Towns, Ms. Perlie Fullard, Athenry Road, Loughrea	Children's Burial Ground Project, St. Laurences Field, Loughrea – erection of boundary wall & memorial stone	1,000	800
HG/07/23	Garrybreeda Community Group, Mary Nix, Garrybreeda, Loughrea	Restoration of St. Brigid's Well, Loughrea	600	600
HG/07/24	Moylough Tidy Towns, Jackie Somers, Moylough, Ballinasloe	Develop & improve Moylough Turlough		600
HG/07/25	Glenamaddy Community Dev Co., Janette Slattery, Clondoyle Training Centre, Ballyhard, Glenamaddy	Sign for Boyounagh Graveyard showing surnames and location of people buried in it.	1,000	800
HG/07/26	Castleblakeney Church Restoration Association Ltd, Valerie Kinsella, Gallagher, Castleblakeney,	5 Interpretive Panels for internal walls of Castleblakeney Heritage Centre	1,300	1,000

Minutes of Monthly Meeting held on 23rd July 2007

Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
	Ballinasloe			
HG/07/27	Garrafrauns Heritage Group, Noel Healy, Garrafrauns, Dunmore, Tuam	Study of Garrafrauns Villages		1,000
HG/07/28	Aughrim Development Co. Ltd, Paddy Naughton, Aughrim, Ballinasloe	Develop land around Aughrim Interpretive Centre		1,000
HG/07/29	Parkbaun Lettera Community Group, Mary Mc Dermott, Whitepark, Glenamaddy	Enhancement of roads and right of ways in the villages & roads		1,000
HG/07/30	St. Michaels National School Cappataggle, Edel Mannion, Cappataggle N.S., Ballinasloe	Marine, Science, Heritage Awareness Project	2,000	1,000
HG/07/31	Conamara Environmental Education & Cultural Centre, Leo Hallissey, Letterfrack N.S., Conamara	Conamara Walkabout – a unique exploration	1,500	1,200
HG/07/32	Clontuskert Heritage Group, Sean Kelly, Tristane, Clontuskert, Ballinasloe	Publication on the history & heritage of Clontuskert	1,000	1,000
HG/07/33	Claregalway Historical & Cultural Society, Seamus O Connell, Cloonbiggen, Claregalway	Development of Blacksmiths Forge and area adjoining it	1,500	1,000
HG/07/34	Kildaree Graveyard Committee, John Collins, Polredmond, Williamstown	Development & Enhancement of Kildaree Graveyard,	800	800
HG/07/35	Kilchreest Castledaly Heritage Group Dympna Fahy, Grannagh, Ardahan,	The Aughty Gathering		300

Minutes of Monthly Meeting held on 23rd July 2007

Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
HG/07/36	Headford District Association, Frances O'Reilly, Deerpark, Headford	Heritage Booklet, Claendar & Pamphlets on the history & culture of Headford/Claran	1,000	1,000
HG/07/37	Ardrahan/Labane Community Development Group, Karen O'Neill, Seema House, Cregclare, Ardrahan	Interpretive Sign at Cregclare	3,000	800
HG/07/38	Kilchreest Castledaly Heritage Group, Dympna Fahy, Grannagh, Ardrahan	Tidy up & clean Killinane Graveyard		1,200
HG/07/40	New Inn Community Council, Ger Monahan, New Inn, Ballinasloe	Remove Corn Kiln found in Rahally, New Inn, to New Inn village	3,750	1,200
HG/07/41	Luimnagh Residents Association, Ashley Whelan, Secretary, Ruby Cottage, Luimnagh East, Corrandulla	Townland Name Stones Luimnagh and Ballinduff	800	700
HG/07/42	Clarinbridge Community Arts Festival, Anne Fox, Slieveaun, Clarinbridge	Series of Talks on the heritage of Clarinbridge area - Clarinbridge: a Unique Heritage	5,500	1,200
HG/07/43	Clarinbridge Community Dev Ass. Joe Murphy, 128 Costa na Mara, Oranmore	Clarinbridge Heritage Brochure	3,000	1,000
HG/07/44	Kilbegnet/Ballinakill Historical Society, Laurence Kilcummins, C.S. Parnell Heritage Centre, Creggs	Field Name Survey. Record the old names that each field had in the past	500	500
HG/07/45	Tuam Travellers Ed. Dev. Association, Martin Ward, Bru Bhríde, Church View, Tuam	Repair of Barrel Top Wagon And Spring Cart – Traveller Heritage	1,900	1,000
HG/07/46	St. Mary's National School, Michael Kelly, Principal, Mountbellew, Co.	Golden Jubilee Book (Mountbellew National School)	1,000	1,000

Minutes of Monthly Meeting held on 23rd July 2007

Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
	Galway			
HG/07/48	Comhaile Pobail an Spidéal, Aodán Mac Donncha, Comhairle an Spidéal, An Spidéal	Leabhrán Comortha 100 Bliain Chill Einde	4,500	1,200
HG/07/49	Gaeilge Locha Riach, Padraic Ó Riach, 3 Seanbhóthar na Gaillimhe, Baile Locha Riach	Na Clocha Beo	4,350	1,000
HG/07/50	Bealoideas Chois Fharraige Comharchumann Suailearna Teo Bairbre Bergin Pairc Ghno Shailearna, Na h-Aille, Indreabhan,	Bealoideas Chois Fharraige	8,500	1,200
HG/07/51	Tynagh Tidy Towns Mary Quirke, Cappaculla, Tynagh, Loughrea	Church of Ireland Cemetery Tynagh	8,000	1,000
HG/07/52	Coiste Tuismitheoir Scoil Sailearna Mary Owens, Aille, Indreabhan	Seachtain Ealaine is Oidhreachtá	600	600
HG/07/53	South East Galway IRD Training & Heritage Project Patricia Geoghegan, Civic Buildings, Abbey St, Portumna	Creating Heritage Awareness	600	600
HG/07/54	Barnaderg Residents Association, Sylvester Cassidy, Barnaderg, Tuam	Golden Mile – Signage & Brochure	6,000	1,000
HG/07/55	Ballinderreen Playgroup Ltd, Siobhan Moylan, Ballinderreen, Kilcolgan	Heritage Education Programme 2007-2008	2,000	1,000
HG/07/56	Milltown Development Co. Ltd, Frank Glynn (Secretary) Milltown, Co. Galway	Heritage Plaques / Finger Posts / Display Material Heritage Centre	1,500	800

Minutes of Monthly Meeting held on 23rd July 2007

Ref. No. (Year No.)	Contact Name / Organisation Address	Brief Description of Proposal	Application Request	Recommended Allocation
HG/07/57	Athenry Heritage Centre, Alan Burgess, Athenry Heritage Centre Athenry	Brochure on Athenry Walled Towns Day 2007	1,500	1,200
TOTAL				50,000

**APPROVAL TO BORROW €10MILLION FROM THE HOUSING FINANCE
AGENCY PLC TO FUND HOUSING LOANS.**

1345

Report dated 23rd July, 2007 was circulated to Each Member.

On the proposal of Cllr. McHugh, seconded by Cllr Cuddy, the approval to borrow €10 million from the Housing Finance Agency P.L.C. to fund housing loans was approved.

MAYORS BUSINESS

1346

Water Situation

Cllr D Connolly said he wished to commend the efforts of those involved in the water crisis situation.

Cllr Cuddy asked if there will still be a need for the Council to supply the City from Luimnagh after the new plant in Terryland has been provided. He said those businesses that had experienced a fall in business should receive a waiver in their rates bills.

Cllr Feeney said that the tolerance levels of the people of Galway have been incredible over last few months. He asked would Luimnagh discontinue supplying the City after the new plant is installed in Terryland.

Leenane Bridge

Comh O'Cuaig asked for an update in relation to Leenane Bridge which had collapsed recently.

Mr. Morgan said that the site had been assessed by the Council and the NRA on the 19th July, 2007 after the collapse and the existing pedestrian bridge had been re-opened that day. He said that work has continued on the provision of a temporary bridge and it is hoped to lift a temporary Bailey bridge in place by the 24th July 2007 and to have it opened to traffic by the following weekend.

Comh O'Cuaig said that the response to the emergency was impressive and he thanked the County Manager for visiting the site.

Minutes of Monthly Meeting held on 23rd July 2007

Cllr Conneely said that he wished to compliment Mr. Morgan and his staff on the emergency work and it was great to hear that a temporary bridge would be in place before the weekend. He said that the whole of the N59 needs to be upgraded.

In reply to Comh. O' Cuaig, Mr. Morgan said that a new bridge should be in place in Leenane in 2008.

Comh O'Cuaig referred to the fact that BT had got the tender for establishing 100% Broadband coverage in the North of Ireland. With regard to County Galway he said it was difficult to identify the level of Broadband coverage at present and many areas in the County had no services. At a recent presentation on the subject at the BMW Assembly, it was not clear what were the true coverage levels. He said the Council should have its own map setting out the position and asked that this be done. He said large areas of the County could be left out of future programmes if this was not carried out.

Mr. Dawson said that the County Council works closely with the Dept of Communications. He said there were a range of Internet Service Providers offering domestic Broadband in different parts of County Galway but he was aware that there was not universal Broadband coverage in County Galway. He said the Department of Communications was currently preparing a map of the Broadband coverage in the County and this is accessible on their Website. He said the Council would undertake a survey of households through the Community & Voluntary Forum to assess the extent of Broadband availability and would report back to the Councillors, Dept and the BMW.

Cllr. Reilly said the Tuam Business Park needs safety measures to be carried out to allow for safe entry and exit from it.

Cllr D Connolly said that the Notice of motion response that he had received in relation to the naming of estates was satisfactory but that the policy was not being implemented.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 18 – COMH. NI FHATHARTA

1347

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 19 – COMH. NI FHATHARTA

1348

The following reply was given:-

“Déanfar an cás seo a fhiosrú de bharr na bhfuil na sonraí soiléir. Réiteofar freagra don chéad chruinniú comhairle eile.”

NOTICE OF MOTION NO 20– CLLR. D. CONNOLLY

1349

The following reply was given:-

“All housing developments granted include a condition that the name of the development would be agreed through the Council’s place names committee. This committee recommends the name to be placed on the new development having regard to the Council’s statutory obligations in relation to Irish and the committee includes representation and expertise to enable this to be carried out.”

NOTICE OF MOTION NO 21 – CLLR. D. CONNOLLY

1350

The following reply was given:-

“This matter will be investigated to determine the number of new signs required.”

NOTICE OF MOTION NO 22 – CLLR. D. CONNOLLY

1351

The following reply was given:-

“The Greenstar Landfill facility at Kilconnell is licensed and monitored by the Environmental Protection Agency. Galway County Council will refer the information you have provided to the EPA for further investigation.”

NOTICE OF MOTION NO 23 – CLLR. J. MCDONAGH

1352

The following reply was given:-

“The estimated cost of providing a gully and soakpit in adjoining lands in order to alleviate flooding on the road at this location is €1,600. There is no provision in the Roadworks Programme 2007 for this work, however, you may wish to consider allocating some of your NOM money towards this work.”

NOTICE OF MOTION NO 24 – CLLR. J. MCDONAGH

1353

The following reply was given:-

“The site will be examined and a report and an estimate of cost will be forwarded to you.”

NOTICE OF MOTION NO 25 – CLLR. J. MCDONAGH

1354

The following reply was given:-

“The review of Speed limits is at present ongoing and the Area Committee can recommend the provision of 50kph speed limit. NRA approval will be required in relation to any Speed limit proposals on National Routes. The junction in question has not been identified as highly dangerous in any documentation.”

NOTICE OF MOTION NO 26 – CLLR. J. CUDDY

1355

The following reply was given:-

“I wish to inform you that Galway County Council have not as yet seen the programme for Government, however, we fully support the provision of the Claregalway bypass route.”

NOTICE OF MOTION NO 27 – CLLR. J. CUDDY

1356

The following reply was given:-

“I wish to inform Galway County Council, are at present, carrying out limited verge trimming on roads throughout the County, including the Oranmore Electoral Area. The extent of the verge trimming being carried out is limited to grass cutting with some minor trimming of hedges at bends, junctions and around signs for the safety of road users, having regard to the Wildlife Act and the limited budgets available for such work.

It should be noted that landowners have responsibility for cutting/trimming hedges growing on their property, that interfere with road safety, under the Roads Act. A notice has been published in the local newspapers to this effect.

Galway County Council will comply with the requirements of the Wildlife Act with regards to hedge cutting/hedge trimming and verge trimming. Amendments to the Wildlife Act is a matter for government.”

NOTICE OF MOTION NO 28 – CLLR. J. CUDDY

1357

The following reply was given:-

“The Council is currently in contact with Mark Adamson in the OPW and we are preparing a set of maps to outline the affected areas so that he can carry out his study and report back.”

NOTICE OF MOTION NO 29 – CLLR. P. HYNES

1358

The following reply was given:-

“I wish to inform you the road in Looscaun had routine maintenance undertaken recently. However, we will inspect this road next week.”

NOTICE OF MOTION NO 30 – CLLR. P. HYNES

1359

The following reply was given:-

“Flooding relief works have been carried out at this location by the local Area Office.”

NOTICE OF MOTION NO 31 – CLLR. P. HYNES

1360

The following reply was given:-

“I wish to inform you the barriers are located outside these premises to facilitate Heavy Goods Vehicles to turn from Barrack Street onto Main Street via Church Street. If parking was reinstated in this area then the vehicles would find it difficult to turn at this location. It is a system that is in place to facilitate the refurbishment of Main Street.”

NOTICE OF MOTION NO 32 – COMH. S. Ó TUAIRISG

1361

The following reply was given:-

“Beidh oifigeach Pleanála ag tabhairt cuairt ar Inis Mhór ar an chéad Máirt gach dara mhí ó Mean Fómhair i mbliana. Níl sé mholta faoi láthair fo-oifig a chur ar fáil ar an gCeathrú Rua gan breis oifigigh a bheith ar fáil.”

NOTICE OF MOTION NO 33 – COMH. S. Ó TUAIRISG

1362

The following reply was given:-

“Déanfar machnamh ar an mbóthar seo a chuir san áireamh i gClár Bóithre 2008. Cuirfear cothabháil i gcích ar an mbóthar mar atá riachtanach laistigh den dáileachán airgid reatha.”

NOTICE OF MOTION NO 34 – COMH. S. Ó TUAIRISG

1363

The following reply was given:-

“Tá Comhairle Chontae na Gaillimhe i mbun athbhreithniú iomlán ar shocraithe a bhaineann le ceamaraí TFCI (cctv), ag cuimsiú ach ní teoranta do chlár piolóiteach ag

úsáid córas ceamara TFCI so-ghluaiste. Nuair atá an togra píolóiteach curtha i gerích, déanfar machnamh ar an gcóras ceamara soghluaiste a chuir i bhfeidhm ag an láthair thuas.”

NOTICE OF MOTION NO 35 – CLLR. S. CONNAUGHTON

1364

The following reply was given:-

“Noted.”

Criochnaigh and Cruinniú Ansin.

Submitted, Approved & signed

Seán Banney

24th September 2007

Date .

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 25TH
JUNE 2007.**

CATHAOIRLEACH: Cllr. S. Canney

ILATHAIR FREISIN:

Bail: Cllrs. C Cannon, J. Conneely, D. Connolly, M. Connolly, Comh. S. O’Cuaig, Cllrs. J. Cuddy, P. Feeney, P Hynes, J. Joyce, C. Keaveney, S. Kyne, T. Mannion, J. McDonagh, M. Mullins, Comh. S. O’Tuairisg, Cllrs. M. Regan, T. Reilly, S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh: Mr. F. Gilmore, County Manager; Messrs. J. Cullen, P. Ridge, Directors of Service; G. Mullarkey, Head of Finance; L. Gavin, M. Lavelle, Senior Engineers; T. Murphy, County Secretary; D. Barrett, A. Comer, C. Wallace, Senior Executive Officers; A. Farrell, A/Senior Executive Officer; M. O’Donnell, E. Dolan, Administrative Officers; M. McGrath, Senior Staff Officer; P. O’Neachtain, Oifigeach Gaeilge; G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1306

A Resolution of sympathy was extended to the following:
Roy & Patricia Glynn, Ballintemple, Galway.
Michael Hyland, Galway Road, Ballinasloe, Co. Galway.

CONFIRMATION OF MINUTES OF MEETINGS.

1307

The Minutes of the Monthly Meeting held on 28th May, 2007 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. Regan.

The Minutes of the Annual Meeting held on 8th June, 2007 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. Regan.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION **1308**

The Report of the Conamara Area Committee Meeting held on 18th May, 2007 was considered. It was adopted by the Council on the proposal of Cllr. O'Tuairisg, and seconded by Cllr. Conneely

Arising from the Report, Cllr. O'Tuairisg asked what progress had been made regarding the adoption of revised speed limits. Mr. Lavelle said that each Local Electoral Area Committee had examined the speed limits in their respective areas and submissions had been received from all except the Tuam area.

The Mayor asked the Manager to prepare a report setting out the present position and including a timetable for completion of the process.

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 **1309**

On the proposal of Cllr. Feeney, seconded by Cllr. Willers, the Council approved the declaration of the following roads to be a public roads, the statutory procedure having been complied with:-

Road commencing at junction with the Local Road L-31074 in the Townland of Carrowntober East and finishing at Rosaleen Smyths in the townland of Carrowntober East.

Electoral Area: Oranmore

On the proposal of Cllr. Feeney, seconded by Cllr. Cuddy, the Council approved the declaration of the following roads to be a public roads, the statutory procedure having been complied with:-

Road commencing at junction with the Local Road L-6203 in the townland of Ballybrone and extending north for a distance of 180 metres in the townland of Ballybrone and finishing at Crowleys in the townland of Ballybrone.

Electoral Area: Oranmore

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.6624 HECTARES TO MICHAEL DALY & BERNADETTE DALY, CARRA, KILRICKLE, CO. GALWAY. 1310

Report dated 7th June, 2007 was already circulated to Each Member

On the proposal of Cllr. Willers, seconded by Cllr. Regan, the proposed disposal of 0.6624 hectares to Michael Daly & Bernadette Daly, Carra, Kilrickle, Co. Galway was approved.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE LEASING OF 0.5763 HECTARES/1.424 ACRES TO CUMANN LUTHCLEAS GEAL, CILL-IOMAIR 1311

Report dated 7th June, 2007 was already circulated to Each Member

On the proposal of Cllr. Regan, seconded by Cllr. Willers, the proposed leasing of 0.5763 hectares/1.424 acres to Cumann Luthcleas Geal, Cill-Iomair was approved.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.042 HECTARES AT NO. 4, NO. 5 & NO. 9 PARKLANDS, ATHENRY, CO. GALWAY 1312

Report dated 22nd May, 2007 was already circulated to Each Member

On the proposal of Cllr. Feeney, seconded by Cllr. Cannon, the proposed disposal of 0.042 hectares at No. 4, No. 5 & No. 9 Parklands, Athenry, Co. Galway was approved.

AUDIT REPORT ON THE ACCOUNTS OF GALWAY COUNTY COUNCIL FOR YEAR ENDING 31ST DECEMBER, 2005 – 1313

Report dated 16th May, 2007 was already circulated to Each Member

On the proposal of Cllr. Mullins, seconded by Cllr. Keaveney, the Audit Report on the Accounts of Galway County Council for Year Ending 31st December, 2005 was noted.

Cllr. Joyce stated that the Housing Department should be congratulated on the level of expenditure on housing projects during 2005, but he stated that he was disappointed at the Favourable Balances remaining in relation to sanitary schemes, planning and development and recreation and amenity.

Mr. Cullen stated that the favourable balance shown in respect of sanitary schemes was necessary in order that funds would be available as works on water and sewerage schemes were being carried out. He stated that the amounts shown were fully assigned

and would be spent and that over the lifetime of the Water Services Programme further sums would be needed.

Cllr. Welby referred to the level of funding proposed by the Department of the Environment, Heritage & Local Government for the Clifden Sewerage Scheme and he asked if the Council had received any feedback from the D.O.E.H.L.G. regarding his request for a meeting to discuss the funding of water and sewerage facilities. Mr. Murphy stated that he had written to the Minister in this regard but had not yet received a reply.

Cllr. Willers asked if Galway County Council had enough staff to administer the water and sewerage scheme programme and Mr. Cullen stated that he had made a submission to the D.O.E.H.L.G for additional staff and that approval for five additional staff had been received.

Cllr. Feeny stated that it was evident that the D.O.E.H.L.G. would not change their minds regarding the cap of €10,000 on funding of water and sewerage schemes and therefore the funding required to upgrade schemes in towns like Clifden and Barna would not be available.

TO CONSIDER ANNUAL FINANCIAL STATEMENT FOR YEAR ENDED 31ST DECEMBER 2005

1314

On the proposal of Cllr. Mullins, seconded by Cllr. Willers, the Annual Financial Statement for Year Ending 31st December, 2005 was noted.

DEFINITION OF URBAN AREAS –

1315

Report dated 19th June, 2007 was already circulated to Each Member

Mr Ridge referred to recent concerns expressed by Councillors relating to the definition of Urban Generated Housing. He explained that the urban generated housing definition was currently being applied to housing applicants from within all settlements as defined in the Settlement Strategy as set out in the current County Development Plan.

He added that having considered the way the policy was being defined and applied it was now being clarified. He explained that urban generated housing will still continue to apply to applicants from within the first two tiers of the settlement hierarchy, within the settlement strategy of the County Development Plan, i.e. the Satellite towns, the Service Hubs and Local Service Centres.

Cllr. Cannon welcomed the recent development with this policy and stated that it was unfair to class the smaller settlements centres as urban areas. He added however that there were still a number of housing applicants in the larger Settlement centres caught in a limbo situation where they have family lands outside these centres but cannot get planning permission due to the urban generated housing policy.

He also suggested considering applicants who could prove that the lands were in their ownership for more than 20 years and that no other lands were available to them

Minutes of Monthly Meeting held on 25th June 2007

Cllr. D. Connolly made reference to the planning issues around the Aughrim battle field site.

Cllr. O'Cuig referred to the number of applicants affected by the urban generated housing policy and asked if these people should be contacted.

Mr Ridge stated that very few people have been refused planning permission under the urban generated housing policy and that it should not be ignored that planning permission is granted for thousands of one off houses each year by the Planning Authority

He added that all issues could be examined under the Review of the County Development Plan Process and that none were urgent enough to require any emergency action now.

Cllr S. Walsh stated that he knew of numerous planning cases where the urban generated housing policy has been a problem.

He also stated that Minister O'Cuiv did not intend urban generated housing to be for any other area other than people moving from Galway city out to the rural areas of the county. Cllr S. Walsh made particular reference to housing applicants in the Bearna area who have lived there for the past 20-30 years.

Cllr Cuddy stated with the evolution of Local Areas Plans many settlement centres were considered urban areas such as Claregalway which is causing problems for many housing applicants who have lived in these areas all their lives and the only available lands are now outside the town plan boundary.

He also referred to the fact that the lifetime enurements are still being applied by the planning authority despite the fact that the DoEHLG have changed the time scale for enurements to 7 years.

Cllr Welby stated that most of the cases involved in the urban generated housing need were on family owned lands and that if applicants could prove that these lands were in family ownership for over 20 years, then urban generated housing should not then be a reason for refusal of planning permission.

Mr Ridge stated that no official communication has been received by Galway County Council from the DoEHLG in relation to the recent EU decision regarding one off housing in restricted areas.

He stated that the large number of houses for sale at the moment must also be taken on board, and added that rather than building a house maybe people should be encouraged to buy one.

He referred to the recent decision by An Bord Pleanála in relation to the removal of a life time enurement condition and stated that the Planning Authority does not have the power to remove planning conditions as a planning permission is a legal document. He added that appealing the condition to An Bord Pleanála was the only method available to applicants to have a planning condition removed.

He also added that the enurement clause allows local people to obtain reasonably affordable housing in their locality. Anyone with life time enurements can sell their house to someone in the locality and this will be facilitated and be actively encouraged by the Planning Authority.

TO ADOPT THE DRAFT LITTER MANAGEMENT PLAN 2007-2010 –

1316

Report dated June 2007 was already circulated to Each Member

Cllr. O’Cuaig welcomed the Draft Litter Management Plan and he stated the community wardens were doing a good job and asked if additional wardens could be appointed. He also asked if the number of recycling centres around the county could be increased.

Cllr. Keaveney referred to the amount of time the community wardens spend on the servicing of parking meters in Tuam, Loughrea and Clifden and he felt that perhaps it would be more beneficial if they were visible and carried out surveillance in areas where littering was a problem, such as in amenity areas.

Mr. Cullen stated that Galway County Council was one of only five local authorities who were included on a pilot scheme in relation to the appointment of community wardens and he did not envisage that the number of community wardens would be increased. However, he stated that their workload in relation to the servicing of parking meters was being examined at present.

Cllr. Cuddy stated that additional CCTV’s should be provided at locations in the county which were considered as litter blackspots in order to aid the community wardens in identifying the people guilty of litter offences.

Cllr. Joyce stated that the Council should investigate the options available for providing a waste collection service to areas which were not serviced currently and Mr. Cullen stated that he had made a submission to the D.O.E.L.G. in relation to the regulation of waste collection.

Mr. Cullen also stated that it was important to acknowledge that the vast majority of people in the county had respect for their environment and did not cause litter problems, but he stated that the Council intended to be ruthless in the enforcement of the litter laws and that a zero tolerance approach would be adopted by the Council in this area.

On the proposal of Cllr. Mullins, seconded by Cllr. Willers, the Draft Litter Management Plan 2007 – 2010 was adopted.

SUSPENSION OF STANDING ORDERS

1317

On the proposal of Cllr. Mannion, seconded by Cllr. Mullins, it was agreed that the Standing Orders of the Council be suspended so that the Meeting could continue after 6 p.m.

EUROPEAN ROAD SAFETY CHARTER –

1318

Mr. Lavelle referred to report dated 14th June, 2007, which had been circulated to Each Member and recommended that the Council would approve of the signing of the European Road Safety Charter.

Cllr. Cuddy stated that all foreign vehicles being brought into the country should be checked for road worthiness and that the insurances and drivers licences of foreign drivers should be checked also.

Cllr. Welby referred to the Low-Cost Accident Scheme and stated that records should be kept up to date regarding accidents which occur at junctions.

Mr. Lavelle stated that the Road Safety Authority kept records of road accidents notified to them by the Gardaí. However, he stated that normally the Gardaí only report accidents where personal injuries had resulted.

Cllr. Regan referred to the issue of verge trimming and said that in the interests of road safety, verges should be trimmed so that traffic signs would not be obstructed. Mr. Lavelle said that landowners were responsible for their hedges, fences and walls. He said that the Council was carrying out hedge trimming in some areas particularly at road junctions. The Council had to respect the law in relation to the Wildlife Act which prohibits local authorities from carrying out hedge trimming from 1st March to 31st August but provided that hedge trimming may be carried out at a particular location if necessary in interest of public safety.

On the proposal of Cllr. Mullins, seconded by Cllr. M. Connolly, it was agreed that Galway County Council would sign up to the European Road Safety Charter.

MAYORS BUSINESS

1319

Cllr. D. Connolly referred to the spreading of sludge on land and asked that the officials would let the Members have their recommendation at a forthcoming Meeting of the Council on whether the option of thermal drying of sludge would be considered viable by the Council.

Cllr. M. Connolly asked if the current arrangement whereby Galway County Council was providing a water supply to Galway City Council from the Luimnagh Plant was being monitored in order that a shortage of water to the county would not result.

Mr. Cullen stated that the supply of water being provided to the city was being carefully monitored and that this arrangement was a temporary measure in order to assist the city until such time as they could produce an adequate water supply for their needs.

The Mayor stated that the organization Ábalta was currently looking for a site for the provision of a new facility for people with autism and he proposed that Galway County Council would examine its landbank to determine if a suitable site in the environs of the city was available for this purpose. Cllr. Cuddy seconded this proposal.

CONFERENCE

1320

On the proposal of Cllr. J Mc Donagh, seconded by Cllr. Mannion, 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 :-

“ Byrne/Perry Summer School – Theme: 1916 – 1923 War” – Christian Brother School, Wexford, 29th June – 1st July 2007

Cllr. C. Cannon.

“Mac Gill Summer School & Arts Week 2007” – 15th -20th July 2007, Glenties, Co. Donegal.

Cllr. J. Mc Donagh, P. Hynes.

“Parnell Summer School” – 12th -17th August 2007” – Avondale House & Forest Park, Rathdrum, Co. Wicklow.

Cllrs. C. Cannon, J. Mc Donagh, P. Hynes.

“A.M.A.I. – 94th Annual Conference 2007” – 13th – 15th September 2007 – Brandon House Hotel, New Ross.

Cllr. J. Mc Donagh.

NOTICES OF MOTION

1321

NOTICE OF MOTION NO. 15 – CLLR. D. CONNOLLY

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 16 – CLLR. D. CONNOLLY

1322

The following reply was given:-

"I wish to inform you this road is not a public road in charge of Galway County Council and therefore the Council is not responsible for the provision or maintenance of signage on the road."

NOTICE OF MOTION NO 17 – CLLR. J. MCDONAGH

1323

The following reply was given:-

"I wish to inform you the area office is investigating the location of the reported flooding to confirm if Galway County Council has any responsibility. You will be advised of the outcome of this investigation."

NOTICE OF MOTION NO 18 – CLLR. J. MCDONAGH

1324

The following reply was given:-

"I wish to inform you that additional signage is being ordered for the island in question. A blue directional arrow will be erected at the location in the coming months. There is no proposal at present to lengthen the island."

NOTICE OF MOTION NO 19 – CLLR. J. MCDONAGH

1325

The following reply was given:-

"I wish to inform you that this will be included in the Council's submission for funding for Low Cost Accident Schemes for 2008."

NOTICE OF MOTION NO 20 – CLLR. P. HYNES

1326

The following reply was given:-

"I wish to inform you that this issue will be examined and an estimate cost to provide roadside drainage will be prepared and forwarded to you."

NOTICE OF MOTION NO 21 – CLLR. P. HYNES

1327

The following reply was given:-

"I wish to inform you the road in question is a public road, road number L-42014-0 it is not included on any road programme for this year for improvement works, however ongoing routine maintenance works will be undertaken."

NOTICE OF MOTION NO. 22 – CLLR. D. CONNOLLY.

1328

Cllr. D. Connolly referred to Notice of Motion No. 22 as follows: "We propose that Galway County Council expresses its resolve that Galway County remain a G M Free Zone and that we call on the Minister for Agriculture to have this State a G M Free Zone and that she liaise with Six Counties Agriculture Minister Michelle Gildernew to ensure that we create an All Island G M Free Zone considering that the green and clean food image and standard that Ireland has internationally is protected"

His proposal was seconded by Cllr. Willers who stated that it was important that Ireland retained its clean food image.

Cllr. M. Connolly stated that he had a serious difficulty with the proposal as he felt that there was not enough scientific evidence available to warrant such a proposal.

Cllr. Feeney stated that he had no problem with the idea of GM free food production in Ireland, but he had reservations regarding a ban on the importation of genetically modified food.

Cllr. Mannion proposed that this matter be deferred and that the Council invite an expert in the area of genetically modified food to address the Members at a forthcoming Council Meeting, so that they might be better informed before making a decision on the Motion.

Cllr. D. Connolly agreed to the deferral of the item for discussion until the Members received more information on the topic of genetically modified food production.

Criochnaigh an Cruinniú Ansin.

Submitted, Approved & Signed

Seán Banney

23RD July 2007

Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF ANNUAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON FRIDAY THE 8th JUNE, 2007.

CATHAOIRLEACH:

Mayor M.Mullins
Mayor S. Canney

ILATHAIR FREISIN:

Baill:

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

Oifigigh:

Mr. F. Gilmore, County Manager; Messrs. J. Morgan, F. Gilmore, K. Kelly, Directors of Service; L. Gavin, M. Lavelle, Senior Engineers; G Mullarkey, Head of Finance, T. Murphy, County Secretary; A. Comer, J Brann, Senior Executive Officers; C. McConnell, Senior Planner; M McGrath, Senior Staff officer, J. Keane, Staff Officer.

RESOLUTION OF SYMPATHY

1300

A resolution of sympathy was extended to the following;

John & Gretta Greaney, Cahernashelleery, Claregalway, Co. Galway.

Charles & Mary O’Loughlin, Cregboy, Claregalway, Co. Galway.

John & Kathleen Mulryan, Cloonminda, Williamstown, Co. Galway.

The Mayor and members expressed their sympathy to the Greaney and O’Loughlin families, Claregalway in relation to the fatal accident in that area recently.

ELECTION OF MAYOR FOR YEAR 2007/2008

1301

Cllr Mullins, outgoing Mayor, was in the Chair.

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Cllr. Mullins thanked the members and especially the Deputy Mayor for their support and cooperation throughout the year. He also thanked the County Manager, Directors of Service and the staff of the Council for their assistance and advice. He paid tribute to the media for their superb coverage of Council business.

He said that he had a very busy year and he referred to the many positive developments that had taken place including the opening of the Loughrea Bypass and turning the sod on the new N6. He paid special tribute to the work being done in communities and the assistance being given to those communities by the Council.

The Members paid tribute to Cllr. Mullins for his successful year as Mayor and stated that he represented the county with distinction during his term of office and had shown great commitment and leadership in all his duties as Mayor.

The County Manager thanked Cllr. Mullins for his co-operation and hard work as Mayor of the County and complimented him on the excellent manner in which he represented the Council throughout the year. He also thanked the Deputy Mayor for his work during the year.

The outgoing Mayor asked for nominations for the position of Mayor of the County of Galway for the year 2007/2008.

It was proposed by Cllr. Hynes and seconded by Cllr. Mc Hugh that Cllr. Canney be elected Mayor.

As there was no other nomination, Cllr. Canney was declared elected Mayor of the County of Galway for the year 2007/2008 and he was invested with the Chain of Office.

CLLR CANNEY THEN TOOK THE CHAIR

Cllr Canney thanked his proposer and seconder and the Members of the Council who supported his election as Mayor and said he was honoured to take up the position. He paid tribute to Cllr. Mullins for his dedication to his duties over the year and his professional approach to every issue and stated that he had set a very high precedent for those who succeeded him.

The Members congratulated Cllr. Canney on his appointment and wished him well during his term of Office. The County Manager congratulated Cllr. Canney on behalf of the Staff.

ELECTION OF DEPUTY MAYOR FOR YEAR 2007/2008

1302

It was proposed by Cllr. Healy Eames seconded by Cllr. Willers that Cllr. Kyne be elected Deputy Mayor for the year 2007/08.

As there was no other nomination the Mayor declared Cllr. Kyne elected as Deputy Mayor of the County of Galway for the year 2007/2008.

Cllr. Kyne thanked his proposer and seconder and congratulated Cllr. Canney on being elected Mayor and said it would be an honour to work with him during the coming year.

The Members congratulated Cllr. Kyne on his appointment and wished him well during his term of Office. The County Manager congratulated Cllr. Kyne.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF COUNTY GALWAY VOCATIONAL EDUCATION COMMITTEE

1303

Report dated 29th May 2007 was circulated to each Member

On the proposal of Cllr D. Connolly, seconded by Cllr. Hynes, it was agreed that Comh. O'Cuaig, be elected to the County Galway Vocational Education Committee.

FILLING OF CASUAL VACANCY IN MEMBERSHIP OF THE RIVER FERGUS JOINT DRAINAGE DISTRICT

1304

Report dated 29th May 2007 was circulated to each Member.

On the proposal of Cllr. Mannion, seconded by Comh. Ni Fhatharta, it was agreed that Cllr. Regan, be elected to the River Fergus Joint Drainage District Committee.

UPDATE ON WATER SITUATION

1305

Mr. Cullen said that the Council has been dealing with this situation since 14th March 2007. Quite early in the course of events, a solution was identified with the end goal of improving water treatment processes, and providing an adequate supply of clean water to the affected area of the county, and, in the medium term, to Galway city. Consequently, a civil works programme was designed in order to carry out the necessary works in the most effective manner possible.

He said he was pleased to report that significant progress has been made in advancing this complex programme of works, and he outlined the criteria for

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lifting the boil water notice. The HSE West have set out these criteria which were, that there is effective water treatment to remove cryptosporidium and there is clean water, safe for human consumption, an assurance that the system is robust and that the water is of acceptable quality, and also that there is a marked decline in human disease; that is a return to at least the low levels usually seen at this time of year.

With regard to the conduction about water treatment, he said it is hoped to have the improved treatment process in place at the Luimnagh Water Treatment Works by Tuesday or Wednesday of next week. It is very important to note that the critical control point within the process is effective water treatment.

With respect to water quality, although water sampling and testing has been ongoing, it has been agreed with the HSE that an enhanced and more intensive water sampling & testing programme will commence early next week to verify the water quality, once the improved treatment is in place. It was agreed that this enhanced sampling programme would continue for a period of two weeks. Provided that the number of new cases of cryptosporidiosis is at the normal background level, and given the improved water treatment processes coupled with clear test results, the conditions for the lifting of the boil notice in the county area will have been created.

He reiterated that the Boil Water Notice is still in place, and it is essential that people in the affected areas continue to boil water intended for drinking or food preparation. Anyone unsure of the source of their water supply, is advised to boil the water as a precautionary measure.

CRIOCHNAIGH AN CRUINIÚ ANSIN

Submitted, Approved + Signed

Seán Lanney

25th June 2007

Date