

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 28th
JANUARY, 2008.**

CATHAOIRLEACH:

Cllr. S. Canney

I LATHAIR FREISIN:

Baill:

Cllrs. W. Burke, M Carey, S
Connaughton, J. Conneely, D. Connolly,
M. Connolly, Comh. O’Cuaig, Cllrs. J.
Cuddy, M Fahy, P. Feeney, M Hoade, P
Hynes, J. Joyce, C. Keaveney, S Kyne,
M Maher, T Mannion, J McDonagh, T
McHugh, M. Mullins, Comh. C. Ni
Fhatharta, S O’Tuairisg, Cllrs. M.
Regan, T. Reilly, S Walsh, T Walsh, T
Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager;
Messrs. J. Cullen, P. Ridge, K. Kelly, J.
Morgan, Directors of Service; M.
Lavelle, Senior Engineer; T. Murphy,
County Secretary; C. Wallace, A.
Comer, B. McDermott, Senior Executive
Officers; M. McGovern, Management
Accountant; B. Barrett, Administrative
Officer; P. O’Neachtain, Oifigeach
Gaeilge; G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1554

A Resolution of sympathy was extended to the following:-

Ms. Marie Dempsey, Cregboy, Claregalway, Co. Galway.
Mrs. Ann Bannon, Maree, Oranmore, Co. Galway.
Mrs. Sadie Mc Inerney & Family, Church Street, Gort, Co. Galway.
Ms. Helen Mc Quinn, Camp Street, Oughterard, Co. Galway.
Mr. & Mrs John Cawley, Hymany Park, Ballinasloe, Co. Galway.
Mrs. Rita Fitzgerald, Lackaghmore, Turloughmore, Co. Galway.
Mr. Brendan Kelly, Killaan, Woodlawn, Ballinasloe, Co. Galway
Jarlath & Bernie Keane & Family, Ballygaddy Road, Tuam, Co. Galway.
Mr. Michael Walsh, Lavally, Tuam, Co. Galway.

Cllr. Burke referred to the recent retirement of Mr. Dan Barrett, Senior Executive Officer. He stated that Mr. Barrett had worked diligently for the Council and his knowledge and experience would be greatly missed and he wished him well in his retirement.

The Mayor, Members, and County Manager joined in wishing Mr. Barrett many happy years of retirement.

CONFIRMATION OF MINUTES OF MEETINGS

1555

Minutes of Special Meeting held on 3rd December 2007

The Minutes of the Special Meeting held on 3rd December, 2007 were approved by the Council and signed by the Mayor on the proposal of Comh. Ní Fhatharta seconded by Cllr. McHugh.

Minutes of Budget Meeting held on 17th December 2007

The Minutes of the Budget Meeting held on 17th December, 2007 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins seconded by Comh. Ní Fhatharta.

Ag éirí as na miontuairiscí

Dúirt an Comhairleoir Ó Cuaig gur mhaith leis ceartúchán a bheith déanta ar leathanach 12 inar iarr sé an tuairisc is déanaí ar sholáthar Ionad Athchúrsála ar an gCeathrú Rua agus ní i gCarna. Aontaíodh go ndéanfaí an ceartúchán seo.

Also arising from the Minutes, Cllr. Cuddy expressed dissatisfaction at the failure to inform him of the amount raised through Development Contributions in the Oranmore Electoral Area and how it has been spent to date.

Minutes of Monthly Meeting held on 17th December 2007

The Minutes of the Monthly Meeting held on 17th December, 2007 were approved by the Council and signed by the Mayor on the proposal of Comh. Ní Fhatharta seconded by Cllr. Mullins.

REPORTS OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION

1556

The Report of the Corporate Policy Group Meeting held on 26th November, 2007 was considered. It was adopted by the Council on the proposal of Cllr. D. Connolly and seconded by Comh. Ní Fhatharta.

The Report of the Corporate Policy Group Meeting held on 3rd December, 2007 was considered. It was adopted by the Council on the proposal of Comh. Ní Fhatharta and seconded by Cllr. Mullins.

The Report of the Corporate Policy Group Meeting held on 17th December, 2007 was considered. It was adopted by the Council on the proposal of Comh. Ni Fhatharta and seconded by Cllr. D. Connolly.

The Report of the Ballinasloe Area Committee Meeting held on 27th November, 2007 was considered. It was adopted by the Council on the proposal of Cllr. D. Connolly and seconded by Cllr. Mullins.

The Report of the Loughrea Area Committee Meeting held on 13th December, 2007 was considered. It was adopted by the Council on the proposal of Cllr. Burke and seconded by Cllr. Regan.

Arising from the Report, Cllr. Burke asked for an update regarding works to Portumna Bridge and Mr. Morgan stated that it was proposed that works would be carried out to the bridge in October, 2008.

Also arising from the Report, Cllr. Fahy proposed "that the Council invite the Minister of State, Deputy Noel Ahern, to address a meeting of the Council with regard to finding a solution to the problems of flooding in South Galway, Gort, Ballinderreen, Kinvara, Ardrahan and Craughwell areas and also the drainage of the Dunkellin River and maintenance". This proposal was seconded by Cllr. M. Connolly.

The Report of the Traveller Consultative Committee Meeting held on 5th November 2007 was considered. It was adopted by the Council on the proposal of Cllr. Reilly and seconded by Cllr. Willers.

**DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF
ROADS ACT 1993** 1557

On the proposal of Cllr. Welby, seconded by Comh. Ni Fhatharta, the Council approved the declaration of the following road to be a public road, the statutory procedure having been complied with:-

Road commencing at junction with Local Road L-53862 in the Townland of Forramoyle West and extending North as appropriate for a distance of 120 metres in the Townland of Forramoyle West and finishing at Mairtin Curran's House in the Townland of Forramoyle West.

Electoral Area: Conamara

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

Road commencing at junction with Local Road L-71121 in the Townland of Lydacan and extending North as appropriate for a distance of 250 metres in the Townland of Lydacan and finishing at Donovans (End of road) in the Townland of Lydacan

Electoral Area: Oranmore

**TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND
DEVELOPMENT REGULATIONS 2001 - CLAREGALWAY SEWERAGE
SCHEME** 1558

It was agreed to defer this item.

**TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND
DEVELOPMENT REGULATIONS 2001 - MILLTOWN SEWERAGE
SCHEME** 1559

It was agreed to defer this item

**TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND
DEVELOPMENT REGULATIONS 2001 - CRAUGHWELL SEWERAGE
SCHEME** 1560

It was agreed to defer this item

Mr. Cullen informed the Meeting that it was not in order to consider item numbers 4, 5 and 6 on the agenda because the Managers Report in respect of these projects was not ready for circulation to the members as the Council was awaiting a response from the National Parks and Wildlife Service regarding ecological issues relating to the proposals.

Many of the Members expressed their dissatisfaction with the fact that the Part 8 Planning Process in respect of sewerage schemes at Claregalway, Craughwell and Milltown was being delayed due to issues raised by the N.P.W.S.

Cllr. Burke stated that the Council was paying too much heed to the N.P.W.S. and it was the function of the Council to decide on the Part 8 Planning Process.

However, Mr. Ridge stated that the N.P.W.S had a duty to manage the Irish State's nature conservation responsibilities under National and European law and that the N.P.W.S was charged with the conservation of a range of ecosystems and populations of flora and fauna in Ireland. He stated that the Council had to take into consideration the views of the Service before the Part 8 Planning Process could be decided on by the Members.

The Mayor stated that the situation regarding water and sewerage in the county was at crisis point and he was publicly challenging the Minister for the Environment to ensure that nothing was put in place to hinder progress on the installation of water and sewerage schemes in County Galway.

Cllr. Keaveney stated that it is not acceptable that the Council was awaiting a reply from the N.P.W.S. since November, 2007.

Cllr. Welby proposed that a delegation of Members and officials would seek a meeting with the Minister for the Environment to discuss the lack of progress on

water and sewerage schemes in the county and this was seconded by Cllr. Regan, and agreed.

The County Manager acknowledged the frustration felt by the Members at the hold up regarding the Part 8 Planning Process for these sewerage schemes, however she stated that a meeting had been arranged with the National Parks and Wildlife Service to discuss the issue.

Mr. Cullen stated that it was the intention of the Council that the Part 8 Planning Process regarding the proposed Craughwell, Milltown and Claregalway Sewerage Schemes would be dealt with at the February Monthly Meeting of the Council.

Cllr. Willers referred to the urgency of providing a sewerage scheme in Craughwell. She said that the proposed site for the pumphouse was flooded at present. Comh. Ní Fhatharta stated that she wished to raise some questions regarding the proposed sewerage scheme for Carraroe, as this was also bundled with the Claregalway, Craughwell and Milltown Schemes. She stated that at a recent public meeting held in Carraroe some concern was expressed regarding the proposed treatment plant as part of the sewerage scheme and she wished to allay any fears which the people of Carraroe had in this regard. She asked the following:

- Why did the specification for the treatment plant at Carraroe differ from that of Claregalway, Craughwell and Milltown.
- Could Carraroe Sewerage Scheme be treated as a stand-alone scheme
- Does the Carraroe Sewerage Scheme have to be a Design/Build/Operate Scheme. The community would prefer if the Council was responsible for the operation of the scheme.
- The specification submitted as part of the Planning Process was very general and it was hard see what the end product would be like.

Cllr. O'Cuaig asked Mr. Cullen when would the Council meet with the local people as a meeting had been promised for some time.

Mr. Cullen stated that he was aware that the proposed sewerage scheme was an important issue for the community of Carraroe.

In answer to Comh. Ní Fhatharta he stated:

- The level of treatment and standards to be met were determined by the receiving waters and the difference between the proposed Carraroe Sewerage Scheme and the other three schemes was that the Carraroe Scheme would discharge into coastal waters.
- He stated that while Carraroe Sewerage Scheme could be a stand-alone project, the reason it was bundled was in order to secure a competitive tender.
- With regard to Design/Build/Operate, he stated that the Council had no control over this and that the Department of the Environment, Heritage & Local Government was implementing this policy nationally.

- He stated that under the Design/Build/Operate process, it is not a requirement that a specific design be shown which makes it difficult at planning consultation stage for the public to see the end product.

He said he was anxious to have a meeting as soon as possible with a representative group from the Carraroe area to discuss the proposed sewerage scheme.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.7 HECTARES AT THE POTTERY, WEIR ROAD, TUAM, CO. GALWAY. 1561

Report dated 10th January, 2008 was already circulated to Each Member

On the proposal of Cllr. Reilly, seconded by Cllr. McHugh, the proposed disposal of 0.7 hectares at the Pottery, Weir Road, Tuam, was approved.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.66 HECTARES AT AN TUAIRIN, DUBLIN ROAD, TUAM, CO. GALWAY 1562

Report dated 10th January, 2008 was already circulated to Each Member

On the proposal of Cllr. Reilly, seconded by Cllr. McHugh, the proposed disposal of 0.66 hectares at An Tuairin, Dublin Road, Tuam, was approved.

SPEED LIMIT REVIEW 1563

A colour coded map of each Electoral Area showing the proposed new speed limits was circulated to the Members.

Mr. Morgan referred to the maps and stated that the proposed new 100 kph speed limits on the National Primary, Regional and Local Primary roads were coloured yellow on the maps, the proposed 80 kph speed limits on National Secondary, Regional and Local Primary Routes were coloured blue, the proposed 60 kph speedlimits on local roads and local secondary roads were coloured green and the proposed 50 kph speedlimits for urban roads were coloured red on the maps.

Mr. Morgan informed the Members that all of their submissions were included in a schedule and the next step was that the Council would consult with the Gardaí and the proposals would be sent to the N.R.A. regarding the National Roads, who would revert to the Council with their decisions on these. The proposed speed limits would then be amended and put on public display so that the public could make submissions or observations on same, before coming back to the Council for their approval.

Cllr. Joyce proposed that all of the main Kiltormer to Ballinasloe Road be included in the 80kph speed limit and this proposal was seconded by Cllr. Mannion.

Cllr. Mannion proposed that the road from Ahascragh to Ballinasloe via Killure remain at the 80kph speed limit and this proposal was seconded by Cllr. Joyce.

Cllr. Hoade asked what was the position regarding special speed limits outside schools on non-national roads and Mr. Morgan stated that there was no indication from the Department of Transport that they would fund these special speed limits.

Cllr. Carey asked could the speed limit on the N84 be lowered even more than the proposed 80 kph and Mr. Morgan replied that everybody was obliged by law to drive at a safe speed having regard to weather and road conditions.

On the proposal of Cllr. Reilly, seconded by Cllr. Conneely, it was agreed to suspend Standing Orders to allow the Meeting to continue after 6 p.m.

PRESENTATION ON COUNTY GALWAY BROADBAND SURVEY 1564

Report entitled "County Galway Broadband Survey 2007" was already circulated to Each Member.

Mr. Barrett made a presentation on the County Broadband Survey undertaken in 2007 stating that this research was undertaken by the Council at the request of the Members in order to establish the current situation households are facing in trying to secure broadband services. He stated that a postal survey of 508 households throughout the county was undertaken in September of 2007 and the main findings of this research were as follows:

Ireland compares poorly with international broadband adoption rates. In County Galway broadband adoption rates were recorded in the 2006 census as being half the national average. However, internet connection rates in the county mirror the national averages. Research by the OECD shows that there is a much closer correlation between GDP per capita and Broadband adoption rates and this highlights Ireland's real failure. As a country with one of the highest GDP per capita amongst OECD countries, Ireland should have broadband penetration ratios on par with countries at the top of the list of broadband adoption rates but Ireland has not even reached the average rate to date.

There is a lack of a competitive marketplace in County Galway for customers trying to access Broadband services- The County Galway Broadband Survey clearly indicates that there is not a competitive marketplace for customers trying to access Broadband in County Galway. Nearly 40% of householders who had tried to get broadband services could not get an Internet Service Provider (ISP) to provide a service. A further 47% could only get one ISP's to offer them a service and this does not bode well for the future as high quality of services and price reductions are unlikely to be developed when such a monopoly exists in the market. Consumers in these circumstances have little bargaining power and are at the mercy of ISP's.

Demand for broadband services similar in County Galway and Urban areas of Ireland - The percentage of households in County Galway connected to the internet is not far behind the figures in Galway City and the State and it is only in regard to the type of connection where households in the county lag significantly behind the city and the State. This would indicate that demand exists but broadband provision is lagging behind.

The mapping of broadband provision by the Department of Communications, Energy and Natural Resources is inaccurate - A comparison of the mapping of Broadband Services by the Department of Communications, Energy and Natural Resources and attempts of households to secure broadband services as recorded through the County Galway Broadband Survey shows that the Department's mapping, based on claims by internet service providers, is inaccurate. This has implications for the areas in County Galway that are not included in the National Broadband Scheme which is currently under negotiation in the Department.

Households are dissatisfied with current service provision. -A significant majority of the householders surveyed in this research are unhappy with the current broadband provision within their area. Seventy-two percent of respondents were not satisfied with the quality of broadband in their area. Even amongst households who have secured broadband services, the satisfaction rates with the service in County Galway are 20 percentage points lower than comparative findings in the UK.

Households are regularly using the internet - The County Galway Broadband Survey shows that households are regularly using the internet. 85% of the households used the internet weekly or more often, with 59% of households answering that they use the internet on a daily basis. This would suggest that the demand for broadband services will increase as internet access becomes an increasingly commonplace activity.

Peripheral locations still have no access to broadband services - The report shows the District Electoral Divisions (DEDs) where respondents to the County Galway Broadband Survey indicated that they failed to get broadband services from any ISP. These DEDs are in the more peripheral parts of the county, where population densities are lower, age profiles are higher, education attainment levels are lower and are priority areas for development under a number of programmes such as the CLAR Programme and the Economic Development Strategy of Galway County Council. These are unattractive hunting grounds for market orientated ISP's and there is no real surprise with the findings that services cannot be accessed. Many of these areas will not be included in the National Broadband Scheme according to the maps of the Department of Communications, Energy and Natural Resources.

The Report goes on to make the following recommendations

- The Department of Communications, Energy and Natural Resources need to invest in broadband infrastructure that ensures parity of service provision in rural areas at parity of cost.
- Provision of broadband networks in rural areas cannot be left dependent on investment by the marketplace. A digital divide will further accelerate creating a vicious circle of under investment and under utilisation. Statutory

intervention in the marketplace will be required to front-load investment and stimulate demand from rural areas.

- Consumers need to be further educated on the elements of broadband packages that are being offered to them. Responsibility for this cannot be left to ISP's who do not benefit from having a more informed and demanding consumer.
- Nationally we need to accelerate broadband penetration rates so that we leapfrog to the top of OECD countries if we are to retain credibility internationally in regard to our claims of being an information society and continue to attract Foreign Direct Investment.
- The range of services available on-line, particularly government services, needs to be increased in order to stimulate demand for broadband. It is important that these services are accessible in all parts of the country, both rural and urban.
- Quality of service provision needs to be addressed so that down load and up load speeds on offer are attainable at peak times. More monitoring needs to be undertaken to establish the levels of down load speeds and up load speeds that are being achieved.
- The price of broadband, although falling, needs to be reduced further so that it does not contribute to the decreasing competitiveness of Ireland as a business location.
- Incentives must be offered to stimulate further competition between ISP's in rural areas. Currently there are very low levels of competition and hence consumers are left in a very weak position when trying to argue for better quality services.
- Households that can prove that their attempts to secure broadband services have failed due to a lack of affordable provision should be included in the impending National Broadband Programme regardless of where their household is located. A householder should only have to provide one of two examples of inability to provide service from incumbent ISP's to entitle them to be served by the ISP who successfully secures the contract for Broadband service provision under the impending National Broadband Programme.

Cllr. O'Cuaig thanked Mr. Barrett for the very informative presentation. He stated that he was not surprised that the County Galway Broadband Survey showed that there was indeed a great demand for broadband in the county, as there was in Leitrim, Roscommon and Mayo. He stated that Galway County Council should join with these three counties to highlight the lack of a broadband service in the West.

Cllr. Connaughton stated that it was evident that the issue of broadband was high on the public's agenda. She stated that the provision of a broadband service could facilitate people working from home and broadband was also necessary in order to attract foreign industry to the county. She proposed that the report be sent to the Minister for the Environment and the Oireachtas Members and this proposal was seconded by Cllr. Willers.

Cllr. Carey stated that it was evident from the report that there was a close link between a country's GDP and broadband penetration and that since Ireland had a

high GDP, then it should follow that our broadband service should be at a high level also. However the report showed that this was not the case.

The Mayor stated that it was disgraceful that Tuam had no broadband service and it was evident that this was adversely affecting the town's chances of attracting new business and industry to the town.

TO NOTE STRATEGIC POLICY COMMITTEES': **1565**

- (a) Programme of Works – Report dated 22nd January, 2008 already circulated to each Member.
- (b) Schedule of Meetings - Report dated 22nd January, 2008 already circulated to each Member.

On the proposal of Cllr. Reilly, seconded by Cllr. Mullins, the Strategic Policy Committees' and the County Development Board's Programme of Works and Schedule of Meetings for 2008 were endorsed.

TO APPROVE RAISING OF LOAN TOWARDS WATER SERVICES INVESTMENT PROGRAMME **1566**

Report dated 28th January, 2008 was circulated to Each Member.

It was proposed by Cllr. Keaveney, seconded by Cllr. Mannion, and agreed, that the raising of a loan of up to €60m towards the Water Services Investment Programme be approved.

TO FIX DATE FOR MARCH MONTHLY MEETING OF THE COUNCIL **1567**

It was proposed by Cllr. Mullins, seconded by Cllr. Mannion, and agreed, that the March Monthly Meeting be held on 31st March, 2008 at 3.30pm.

MANAGERS BUSINESS **1568**

The Manager informed the Members that she had attended a Meeting recently together with other County and City Managers, Mayors and S.P.C. Chairpersons at the request of Deputy Trevor Sergeant, to discuss the issue of Farmers Markets. She stated that the Department of the Environment has asked that local authorities facilitate the provision of Farmers Markets in their area and she said that Galway County Council would endeavour to do so.

Copy of Circular Number WSP1/08 dated 9th January, 2008 entitled "Water Services Pricing Policy Implementation Water Charges/Water Conservation for Schools" was circulated to each Member for their information.

Mr. Morgan referred to the N.R.A. Roads Allocation for National Roads for 2008 and gave a brief outline of the roads which had been allocated funding by the N.R.A.

The Mayor expressed his disappointment at the level of funding provided for the Tuam Bypass and the new N17 .

Cllr. Feeney stated that he was disappointed that no allocation was made for Main Street, Gort which was in a bad state of repair.

Comh. O'Cuaig expressed his disappointment at the level of funding allocated to the N59 and he proposed that the Conamara Electoral Area members, the Local Oireachtas members and officials from the NRA meet at Maam Cross in relation to this matter. This proposal was seconded by Cllr. Kyne and agreed.

Cllr. Conneely stated that he also was also very disappointed at the €3.8m allocation for the N59. He stated that although the N59 was listed on Transport 21, no progress was being made on its improvement and the state of repair of this road meant that the Conamara area was not attracting new business as a result.

Cllr. Connaughton welcomed the funding allocated to the road outside Moylough National School and she complimented the Parents' Committee on their endeavours to secure funding for this work.

Cllr. Hoade welcomed the funding of €80,000 for the Clonboo village lighting.

Cllr. O'Tuairisg welcomed the overall increase in the allocation but noted that most of the allocation was to be spent on the N6 and the N18.

Cllr. Burke referred to the fact that the Cois na hAbhainn Estate, Bridge Road, Portumna had not yet been taken in charge by the Council and he proposed that Galway County Council direct the Law Agent to institute legal proceedings to draw down the bond that Billcon Construction had in place for the Cois na hAbhainn Estate, Bridge Road, Portumna – the proceeds to be used to install lighting and complete the road surfacing on the estate. This proposal was seconded by Cllr. Regan and agreed.

MAYORS BUSINESS

1569

Cllr. Hoade said that she had been informed by residents in Claregalway that a local contribution would be necessary in order that the Claregalway Bypass be provided and that they had been informed of this by the Minister for Transport.

She said that it was necessary to get an indication of how much the Council would have to contribute and it was also vital that the people of Claregalway be kept informed of the situation.

Mr. Ridge said that the development contribution scheme would be reviewed during 2008 and that it may be necessary to include a provision in respect of roads. The Council was unlikely to get funding in respect of a number of roads in the County unless the Development Contribution Scheme was reviewed in such a way that it incorporated a contribution towards roads provision.

The County Manager confirmed that the situation was as outlined by Cllr. Hoade and she said that she was in the process of writing to the Minister for Transport in relation to this matter and that a report would be brought back to the Council. A number of members expressed disappointment at the prospect of the Council having to make a contribution towards the provision of the Claregalway Bypass and it was pointed out that no such contribution was made in respect of the provision of the Loughrea Bypass.

CONFERENCES

1570

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

“Antrim Tourism Conference – Forty Shades of Green Tourism – Dunadry House, Muckamore, Dunadry, Co. Antrim. 1st – 2nd February 2008.

Cllrs. J. Joyce, M. Maher

“Cumann Merriman – Merriman Winter School 2008” –Hotel Westport, Westport, Co. Mayo – 1st – 3rd February 2008.

Cllrs. J. Mc Donagh, M. Regan, M. Fahy, T. Mannion.

“Mid-West Regional Authority – Planning for Renewable Energy” Woodlands House Hotel, Adare, Co. Limerick. – 7th & 8th February.

Cllrs. J. Mc Donagh, M. Carey, T. Welby, M. Hoade, M. Fahy, T. Mannion

“AMAI – Spring Seminar 2008” - Trim Castle Hotel, Trim, Co. Meath. – 15th-16th February 2008

Cllrs. J. Mc Donagh, W. Burke, M. Regan, M. Hoade, M. Fahy, T. Mannion

“Third Sector Forum – Ireland’s Newest Immigrants”, Silver Tassie Hotel, Letterkenny. 21st -23rd February 2008.

Cllrs. M. Regan, M. Fahy, T. Mannion.

“Colmeille Winter School – The Benefits of North-South Cooperation” Colmeille Heritage Centre, Gartan, Church Hill, Letterkenny, Co. Donegal. – 28th February – 2nd March 2008.

Cllrs. M. Regan, M. Hoade, C. Ni Fhatharta, M. Fahy, T. Mannion.

“Association of County & City Councils – Annual Conference 2008” – Roganstown Country Club, Swords, Co. Dublin. 6th - 8th March 2008.

Cllrs. J. Mc Donagh, M. Regan, M. Hoade, M. Fahy.

“L.A.M.A. Annual Spring Conference 2008 – Knightsbrook Hotel, Trim, Co. Meath. 27th-28th March 2008.

Cllrs. J. Mc Donagh, M. Regan, M. Hoade, C Ni Fhatharta, J. Conneely, B. Willers.

“Wexford Borough Council – Better Local Government” Talbot Hotel, Wexford. 3rd – 5th April 2008.

Cllrs. M. Regan

NOTICE OF MOTIONS

NOTICE OF MOTION NO 16 – CLLR. B. WILLERS 1571

The following reply was given:-

“The pedestrian facility in Ardrahan is the option selected by the N.R.A. for Ardrahan. As the Safety Section of the N.R.A. are the assessment section as well as the funding section for such provision, Galway County Council have no further input.”

NOTICE OF MOTION NO 17 – CLLR. B. WILLERS 1572

The following reply was given:-

“The location will be examined with a view to the provision of any necessary signage.”

NOTICE OF MOTION NO 18 – CLLR. B. WILLERS 1573

The following reply was given:-

“Works to provide flashing amber safety lights in the vicinity of Scoil Eoin, Gort, is scheduled to commence in the coming days with a view to having the lights operational at the earliest date possible.”

NOTICE OF MOTION NO 19 – COMH. C. NI FHATHARTA 1574

The following reply was given:-

“Is mian liom a chur in iúl nach bhfuil aon moltaí faoi láthair soilse poiblí a chur ag an scoil seo. Tá an scoil suite faoin tuath agus tá soilse scoile ann.”

NOTICE OF MOTION NO 20 – COMH. C. NI FHATHARTA 1575

The following reply was given:-

“Is mian liom a chur in iúl go ndéanfar fiosriúchán ar an bóthar seo sa comhthéacs an Bóthar nua do Chonamara. Déanadh oibreacha uasghrádú sa láthair seo i 2007.”

NOTICE OF MOTION NO 21 – COMH. C. NI FHATHARTA 1576

The following reply was given:-

“Áfach, faoi Clár na mBóithre 2008, níl aon airgeadú ar fáil don obair seo. Má bhíonn airgeadú le fáil, d’fhéadfaidh machnamh a dhéanamh ar an obair seo a dhéanamh.”

NOTICE OF MOTION NO 22 – CLLR. J. MCDONAGH 1577

The following reply was given:-

“Oranmore Area Office will investigate this issue and a response will issue to you in due course.”

NOTICE OF MOTION NO 23 – CLLR. M. FAHY 1578

The following reply was given:-

“The area office receives annual funding for the Dunkellin River from the Office of Public Works (OPW) of approximately €7,000 (combining Athenry area & Loughrea area). We envisage that similar funding will be made available in 2008 for this river. Upon receipt of this funding we will be in a position to assess the areas most in need of attention.”

NOTICE OF MOTION NO 24 – CLLR. M. FAHY 1579

The following reply was given:-

“Galway County Council are in negotiation for carparks in Gort for a period in excess of two years. We are hopeful to complete negotiation in the near future. The Traffic Management Plan as adopted will improve the carparking accommodation in Gort and will not reduce its capacity.”

NOTICE OF MOTION NO 25 – CLLR. M. FAHY 1580

The following reply was given:-

“Galway County Council have no budget in relation to the provision of Bus Shelters in the town of Ardrahan, Labane, Kilcolgan or Gort or other locations in the County.”

It is our opinion that the bus operators should provide for their customers through the provision of such facilities.”

NOTICE OF MOTION NO 26 – CLLR. P. HYNES

1581

The following reply was given:-

“Improvements to the junction of local road with the N6 will be completed in 2008. The extra measures proposed will be looked at in conjunction with these works for their suitability and effectiveness at this location.”

NOTICE OF MOTION NO 27 – CLLR. P. HYNES

1582

The following reply was given:-

“Improvement works at the junction of the N6 initiated in 2007 are to be completed in 2008. The design of same has provided space for a footpath along the local road and should extra funding be provided in 2008 this path along the minor road could be constructed. (Allocations for 2008 are not finalised yet).”

NOTICE OF MOTION NO 28 – CLLR. P. HYNES

1583

The following reply was given:-

“The preparation of a Local Area Plan for Craughwell has been included in the work programme for the current year. It is not possible at this stage to confirm preparation and publication dates but the matter will go through the normal statutory procedures along with consultation with the Planning SPC in due course.”

NOTICE OF MOTION NO 29 – COMH. S. Ó'TUAIRISG

1584

The following reply was given:-

“Is mian liom a chur in iúl nach bhfuil airgeadú ar fáil chun an obair seo a dhéanamh ag an scoil. Cuirfear meastachán na hoibre ar fáil duit go luath dod eolas.”

NOTICE OF MOTION NO 30 – COMH. S. Ó'TUAIRISG

1585

The following reply was given:-

“Is mian liom a chur in iúl nach bhfuil airgeadú ar fáil, faoi láthair, don obair seo. Má bhíonn airgeadú ar fáil faoin Deontas Discreidiú Feabhsúcháin déanfar machnú ar an tionscadal seo a chur san áireamh.”

NOTICE OF MOTION NO 31 – COMH. S. Ó'TUAIRISG

1586

The following reply was given:-

“Sholáthraínn Comhairle Chontae na Gaillimhe aonad seirbhíse dóiteáin iomlán coinnithe ar Inis Mór faoi láthair áit gur 824 daoine an daonra de réir daonáireamh 2006. Tá súilíocht de Sheirbhís Dóiteáin ar na hOileáin eile, Inis Bó Finne, Inis Meáin agus Inis Oírr a dtéann a ndaonra ó 199 go 247 de réir daonáireamh 2006. Tá sé de rún ag Comhairle Chontae na Gaillimhe aláraim deataigh nua a inshealbhú agus na aláraim deataigh ar fad a insealbháidh ar na cheithre oileán ó 2001 a sheiceáil arís. Tá sé de rún ag an Seirbhís Dóiteáin an fearas múchta tine chéad chabhrach a eisíodh i 2001 a fháil ar ais agus a athdheimhniú agus a eisiú arís tar éis traenáil a chuir ar dhaoine cuí ar an oileán.

Tá Comhairle Chontae na Gaillimhe ag fanacht le tuairisc ón Roinn Comhshaoil ar Sheirbhísí Tine agus Sábháilteacht Tine ar na hOileáin sul má dhéantar aon chinneadh eile maidir le soláthar aon seirbhísí sa bhreis ar a bhfuil luaite. Tabhair faoi deara go bhfuil Comhairle Chontae na Gaillimhe ag úsáid córas bunaithe ar riosca mar atá leagtha amach in athbhreithniú straitéiseach ar an tSeirbhís Dóiteáin i 2002 a dheireann i gcásanna áirithe go bhfuil beartais coiscthe dóiteáin chomh héifeachtach céanna ag maolú an riosca dóiteáin agus atá beartais freagartha dóiteáin go háirithe i gceantair iargúlta, tuaithe agus scoite amach.”

NOTICE OF MOTION NO 32 – CLLR. T. WALSH

1587

The following reply was given:-

“This junction will be surveyed and a design prepared to improve sight distance. It will be included for consideration in the 2008 Roadworks Programme under Discretionary Improvements, along with numerous other projects.”

NOTICE OF MOTION NO 33 – CLLR. T. WALSH

1588

The following reply was given:-

“This junction will be investigated with a view to erecting further appropriate signage.”

NOTICE OF MOTION NO 34 – CLLR. T. WALSH

1589

The following reply was given:-

“This location will be surveyed with a view to raising the road above the flood level and an estimate prepared. It will be included for consideration in the 2008 Roadworks Programme under Discretionary Improvements.”

Criochnaigh an Cruinniu Ansin

Submitted, Approved & Signed

Page 16 of 16

Seán Barry

25th FEBRUARY 2008

DATE

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD
AT ARAS AN CHONTAE, PROSPECT HILL ON MONDAY, 17TH DECEMBER,
2007

CATHAOIRLEACH

Mayor S. Canney

ILATHAIR FREISIN:

Baill:

Cllrs. W. Burke, M Carey, S Connaughton, J. Conneely, D. Connolly, M. Connolly, Comh. O'Cuaig, Cllrs. J. Cuddy, M Fahy, P. Feeney, M Hoade, P Hynes, J. Joyce, S Kyne, M Maher, T Mannion, J McDonagh, T McHugh, M. Mullins, Comh Ni Fhatharta, S O'Tuairisg, Cllrs. M. Regan, T. Reilly, S Walsh, T Walsh, T Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager, Messrs J.Cullen, F. Gilmore, K.Kelly, F. Dawson, and P. Ridge, Directors of Services, Mr. T. Murphy, County Secretary, D Barrett, Mr. G. Scully, Mr. A. Comer Senior Executive Officer, Mr. M. O'Donnell, Admin Officer, Ms. M. McGrath, Senior Staff Officer, Ms. R. O'Boyle, and Ms. B. Donnellan, Staff Officers.

Thosnaigh an cruinniu leis an paidir

RESOLUTIONS OF SYMPATHY

1533

A Resolution of Sympathy was extended to the following:

Eileen Feerick & Family, Milltown, Tuam, Co. Galway
Seamus Higgins & Family, Bel-Air-Drive, Tuam, Co. Galway
Mrs. Martin Naughton & Family, Cloonaghlashie, Tuam, Co. Galway
Thomas Halloran, Coolpark, Clonberne, Co. Galway
Peter Walsh, Ross Demesne, Rosscahill, Co. Galway
Emily Murray & Family, Castleboy, Kilchreest, Loughrea, Co. Galway
Mary Higgins, Belclare, Tuam, Co. Galway
Thomas O'Sullivan, Cornamona, Co. Galway
Mr. & Mrs. Kevin Donnelly, Doorus, Lawrencetown, Ballinasloe, Co. Galway
Adrian Mangan, Sky Road, Clifden, Co. Galway
Mr. & Mrs. Paul Whiskey & Family, Ardahan, Co. Galway
Dorothy Gilmore, Ballyglass, Kilconnell, Ballinasloe, Co. Galway

Minutes Monthly Meeting 17th December 2007

John & Josephine Connors, Stoney Island, Portumna, Co. Galway
Frank McGagh, Parkview Drive, Tuam, Co. Galway
Kay Grealish, Lydican, Carnmore, Oranmore, Co. Galway
Liam & Mary Hughes, Cuba Avenue, Banagher, Co. Offaly

CONFIRMATION OF MINUTES.

1534

The Minutes of the Monthly Meeting held on the 26th November, 2007 were approved by the Council and signed by the Mayor on the proposal of An Comh. Ni Fhatharta, seconded by Cllr. McHugh.

REPORTS OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION.

1535

The Report of the Tuam Area Committee Meeting held on the 27th November, 2007 was considered. It was adopted by the Council on the proposal of Cllr. McHugh and seconded by Cllr. Reilly.

The Report of the Oranmore Area Committee Meeting held on the 13th September, 2007 was considered. It was adopted by the Council on the proposal of Cllr. McDonagh, and seconded by Cllr. Cuddy

The Report of the Housing Strategic Policy Committee Meeting held on the 27th June, 2007 was considered. It was adopted by the Council on the proposal of An Comh. Ni Fhatharta, seconded by Cllr. Cuddy.

The Report of the Planning & Economic Development Strategic Policy Committee Meeting held on the 20th September, 2007 was considered. It was adopted by the Council on the proposal of Cllr. S. Walsh and seconded by Cllr. Regan.

The Report of the Environment, Water & Emergency Services Strategic Policy Committee Meeting held on the 21st November, 2007 was considered. It was adopted by the Council on the proposal of An Comh. Ni Fhatharta and seconded by Cllr Regan.

The Report of the Ballinasloe Area Committee Meeting held on the 17th October, 2007 was considered. It was adopted by the Council on the proposal of Cllr. D. Connolly and seconded by Cllr. Joyce.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – LOUGHREA REGIONAL WATER SUPPLY SCHEME – PHASE 2 – PROPOSED WATER TREATMENT PLANT AT KNOCKANINMA, LOUGHREA.

1536

Report dated 7th December, 2007 was already circulated to each Member.

On the proposal of Cllr. Hynes, seconded by Cllr. Regan, the proposal to upgrade the Loughrea Regional Water Supply Scheme – Phase 2 - Proposed Water Treatment Plant at Knockanima, Loughrea was approved.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 ON THE DISPOSAL OF 0.0609 HECTARES AT BEALACH NA GAOITHE, KILLALOONTY, TUAM, CO. GALWAY. 1537

Report dated the 6th December was already circulated to each Member.

On the proposal of Cllr. Reilly, seconded by Cllr. Mc Hugh, the proposal to dispose of 0.0609 hectares at Bealach na Gaoithe, Killaloonty, Tuam to be transferred in the form of 4 houses to the following was approved.

<u>Location</u>	<u>Name</u>	<u>Price</u>
No. 81 Bealach Na Gaoithe, Tuam	Caroline Brady	€135,000
No. 82 Bealach Na Gaoithe, Tuam	Patrick & Nonthanto Tiou	€135,000
No. 83 Bealach Na Gaoithe, Tuam	Olabimpe & Johnson Opareni	€135,000
No. 80 Bealach Na Gaoithe, Tuam	Gary & Eugene Hearne	€135,000

TO CONSIDER THE MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED ON THE AMENDMENTS AND MATERIAL ALTERATIONS TO THE DRAFT BEARNA LOCAL AREA PLAN AS PER SECTION 9(f)(i) & (ii) OF THE PLANNING AND DEVELOPMENT (AMENDMENT ACT) 2002 1538

Mr. Ridge outlined the process to date stating that a Manager's Report had been prepared on the submissions received on the published amendments to the draft plan and added that consideration of these must be done in accordance with the principles of proper planning and sustainable development.

He stated that this was a new and innovate approach to local area planning and to date the Planning Authority had received very positive feedback. However he added that very little had been done to advance on this and stated that as soon as the plan process is completed and the plan is adopted the Planning authority would be in a position to advance on the new process. Mr. Ridge invited Ms McConnell to present the Manager's report.

She commenced with Issue 1

2.1 Issue 1 – Site-Specific Development Proposals

Submitted By:

- No. 3 – Fionn McMullan (Michael O'Grady)
- No. 4 – Tom Hernon
- No. 8 – Dwayne Higgins (Willie Leahy)

2.1.1 Sub-Issue 1A – Site in Village Core Area along Foreshore

Submitted By:

- No. 3 – Fionn McMullan (Michael O'Grady)

Summary:

The submission responds to final bullet point added under Objective NH35 of the amended LAP (Page 60), which states as follows:

- Alternative innovative high quality design solutions may be considered where it delivers a coastal amenity park, seaside promenade and associated facilities.

The submission indicates a proposed house on the triangular shaped piece of land immediately to the west of the existing O'Grady's Restaurant at the end of Bearna Pier. The map submitted shows the front boundary of the house site generally within 6m of the sea wall narrowing to 5m to the east and widening to 11.465m to the west. The submission notes that this will:

- Provide a transition zone between the 3m 'pinch point' in front of O'Grady's and the 30m setback proposed to the west of the site.
- Be of a similar scale to buildings on Pier Road and a similar character to those previously proposed on the site immediately to the west.
- Provide a 'stop end' to the proposed line of buildings west of O'Grady's site.
- Further screen the 'back of house' area to O'Grady's restaurant.
- Be in accordance with the Village Core designation of the lands.

Response:

There are a number of concerns regarding the scheme as proposed in the submission:

- The proposed development does not meet the requirements of the added bullet point under Objective NH35 of the amended LAP in that it does not deliver a coastal amenity park, seaside promenade of adequate width or necessary associated facilities or adjacent development.
- The proposed development is for a private detached residential house with a low density on a strategic site along the foreshore where the LAP objectives are to promote the development of a coastal amenity park (Objective CF3), a seaside promenade (Objective CF13) and associated high quality, higher density, mixed use development (Objective LU3).
- The building and site extends forward of the general building setback of 30m from the foreshore field boundary line set out under Objective NH35. The purpose of this setback is to allow for the development of the coastal amenity park and a seaside promenade, cycleway, children's playgrounds, landscaped amenity space with picnic tables, seating and improved access routes to the local beaches, Bearna Pier and water-based activities. The proposed development would therefore undermine the ability to establish a continuous coastal park and seaside promenade along the foreshore, which is one of the major community, visual, recreational and environmental elements set out within the LAP.
- The building and site also encroaches significantly into the minimum setback of 15m from the foreshore wall set out under Objective NH35. This reduced setback is only provided for a very limited number of public buildings (such as public toilets or a diving club) and/or those that require a coastal edge location (such as a pub and restaurant) subject to appropriate location within the amenity park, low impact design and construction and the provision of additional parkland areas extending from the coastal amenity park up towards the R336 to compensate the loss of parkland. The proposed development would not qualify as a public building or one that requires a coastal edge location. It also results in a very narrow space for providing a seaside promenade. A private detached residential building will also not provide the type of active edge required

along the park and promenade to ensure that it is well used and overlooked.

- The development of this awkwardly shaped site in isolation of the adjacent lands will seriously undermine the ability to establish a continuous coastal amenity park and seaside promenade along the foreshore and will result in an ad hoc pattern of development.

The LAP encourages landowners to consider the consolidation of land parcels and to develop group proposals that make more efficient and appropriate use of lands that can deliver on the community gain objectives within the LAP and deliver an adequate return on a development. This option should be encouraged on the submission lands and adjoining properties to ensure that key elements of community gain can be delivered in conjunction with high quality and well-integrated development proposals.

Recommendation:

No change recommended.

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

2.1.2 Sub-Issue 1B – Site in Western Green Wedge Area

Submitted By:

- No. 4 – Tom Hernon

Summary:

The submission refers to a previous submission on the Draft LAP and raises concerns regarding the impact of LAP Objective NH7 and CF15 on the submitter's mother's site in the western Green Wedge area.

Objective NH7 – Local Streams (Page 61)

The submission raises concerns regarding the imposition of a 6m wide buffer under Objective NH7 on either side of Liberty Stream for the following reasons:

- The width proposed is excessive and will cause difficulty for any development of the submitter's mother's site (as shown on submitted map), particularly in view of the fact that the back portion of the site is included within the Natural Heritage Area for the Moycullen Bog.
- Liberty Stream is at its infancy and is barely existent at this location (in the vicinity of the site).

The submission acknowledges that some buffer zone is required but suggests that this should vary from location to location and requests that the wording of the third bullet point of Objective NH7 be amended as follows:

- There will be a requirement for a buffer on either side of streams to protect watercourse and habitats. The width of the buffer to be agreed at planning stage, should take cognisance of local conditions and in any event be not less than 3m in width.

Objective CF15 – Streamside Greenway Linkages (Page 36)

The submission raises a concern that the streamside greenway linkage along Liberty Stream that crosses his mother's site would make it very difficult to develop the site. The

submitter's mother would have no objection to facilitating an alternative walkway and request that Objective CF15 be amended to include the following:

"Where walkways along streams are not feasible or reasonable, suitable substitute walkways to be provided through the site subject to agreement from affected landowners."

Response:

(This sub-issue is related to Sub-Issue 8B – Local Streams and Sub-Issue 7D – Amenity Network/Greenway Linkages. It should be noted that Submission No. 5 and 19 strongly object to the reduction from a 10m to 6m buffer in the Amended LAP and the reader is referred to these sub-issues for further detail.)

Objective NH7 – Local Streams

There are a number of concerns regarding this proposal:

- The buffer proposed in the Draft LAP was originally a minimum of 10m either side of Liberty Stream and Trusky Stream to protect the watercourse and associated habitats and to provide for the new main green spine, amenity linkage and north/south connection across the Plan Area.
- The Elected Members opted to remove the 10m buffer for the above streams and revert to a minimum buffer of 6m as proposed for all other streams in the Bearna Plan Area.
- The SEA Addendum I Report (October 2007) notes that the removal of the minimum 10m buffer for these two streams will have likely significant adverse environmental effects upon: aquatic and surrounding habitats and species, ecological connectivity and water quality.
- The reduction from 10m to 6m will also reduce the potential for utilising these streams for a new main greenway linkage through the Plan Area.
- Any further reduction in the 6m stream buffer for Liberty Stream or other streams would seriously undermine the potential to create an amenity network of greenway linkages, to protect the stream water quality and habitats, to allow for attenuation areas for flooding, etc.

Objective CF15 – Streamside Greenway Linkages

The Development Management section of the Amended LAP includes provision for alternative routes to be considered to those proposed in the LAP as follows:

- *Where suitable alternative routes/linkages to those indicated in the LAP can be demonstrated by the applicant that will provide for the continuity of the amenity network and the protection of streams/coastline and associated habitats and natural processes, then these can be considered on their merits. These alternative routes would need to be reserved, secured and/or developed as walkways, as appropriate to the particular location and circumstances.*

Recommendation:

Objective NH7 – Local Streams

No change recommended.

Objective CF15 – Streamside Greenway Linkages

No change recommended.

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

2.1.3 Sub-Issue 1C – Sites in Outer Village/Eastern Green Wedge Area (Plot A) and Eastern Coastal Edge Area (Plot B)

Submitted By:

- No. 8 – Dwayne Higgins (Willie Leahy)

Summary:

Submission notes that the submitter made a previous submission on the Draft LAP and makes the following proposals with regard to his lands:

Plot A

- Zone all of Plot A as Village Consolidation Zone and Outer Village, as Material Alteration 2 has fragmented Plot A and would not be conducive to the successful development of same.
- Remove School Site Option 3 totally from the margins of Plot A.

Plot B

Remove School Site Option 7 from Plot B for the following reasons:

- A school in this location would blur the divide between City and County and would have a negative impact on the eastern Green Wedge.
- It would encourage unsustainable vehicular traffic movements into the area from the City suburbs. There are not enough lands zoned residential in the immediate vicinity and the development would essentially be car-dependent.
- A school in a remote location cannot be passively supervised by the public and has the potential to encourage anti-social behaviour.
- A school would conflict with the tourist amenity potential of this area.

Provide appropriate land use options on Plot B, particularly tourist uses to mark a key node in the seaside greenway linkage, such as:

- Tourist accommodation and facilities.
- Residential development for seasonal and permanent residents with shop/convenience facilities/toilets and/or a restaurant.
- A residential youth accommodation site and serviced camping area with on-site facilities.
- The continuance of the past use of the land as a riding school and an operation point for the Cinerama (pony) trail, which used to operate from the site in the past.

The submitter has indicated that he will provide space for a public car park for Silver Strand in conjunction with the above uses.

Response:

Plot A

It is not considered appropriate to further extend the boundary of the Village Consolidation Zone and Outer Village Area to cover the full extent of Plot A for the following reasons:

- This will further encroach into the Green Wedge area and undermine the ability to secure the strategic objective for this area (under Objective LU7) as a buffer between Bearnna village and Galway City, as a landscape element/visual amenity for Bearnna, as a location for local housing need developments and as a potential location for sports, recreation, amenity and community facility developments to serve the growing population in Bearnna.
- The piece of land proposed to be rezoned is in a remote location most distant from existing and proposed roads in the vicinity and the most problematic in terms of public access and servicing.
- An increase in the lands within the Outer Village Area will result in an increase in the potential number of housing units that can built in the Bearnna Plan Area, and the LAP already provides sufficient lands for the potential development of 1860 dwelling houses, the vast majority of which would be in more central locations than the lands proposed and with better prospects in terms of access and servicing.
- The extension of the Outer Village Area and Village Consolidation Zone to cover the remainder of the submitter's lands is not necessary to ensure that the piece that has already been re-designated can be accessed and development.

It is not considered appropriate to remove School Site Option 3 from the lands for the following reasons:

- This will remove a key school site options that is considered essential in order to deliver on the commitments in the LAP to the provision of a new school site, as set out under Objective CF1 and as identified as a major community facility requirement through the extensive public consultation process undertaken in Bearnna.
- School Site Option 3 has been identified as one of 3 preferred sitting options for the school given that it is a well-located site with potential for direct access from the new village street and residential population.
- Option 3 is located on the edge of the existing village and could provide a new focal point and potential future growth point in the area.
- Option 3 is on the eastern edge of Bearnna village in the direction that many Bearnna parents travel to work in Galway City and is therefore in a suitable location for dropping off school children in the mornings.

Plot B

The proposals made in respect of Plot B do not relate to any material alteration or amendment to the LAP and it is accordingly considered that these proposals cannot be considered in the Manager's Report.

In any event, it is not considered appropriate to provide for residential or other intensive forms of development on the subject lands for the following reasons:

- The lands are located within the Coastal Edge Area, where the land use Objective LU8 is to: *Protect the Coastal Edge as a high amenity area and utilise the potential of this strategic and sensitive asset to provide a range of recreation, amenity, conservation and visual amenity benefits to the local community, including public access to the coastline, views over Galway Bay, walking and cycling routes and seashore recreation. Genuine rural generated housing need and rural enterprise shall also be accommodated subject to the provisions in the GCDP 2003-2009 and LAP.*
- The lands are located on coastal lands along the road leading down to the Silver Strand beach amenity, which is a high scenic landscape and amenity area and there are concerns

regarding potential impacts in this sensitive setting and on Objective NH38 of the LAP.

- Residential and other forms of intensive development should be located within the Village Consolidation Zone where they can be properly accessed, serviced and developed and can contribute to the consolidation and strengthening of the village and the creation of a high quality environment within the village.

Appropriate tourism proposals may be considered in the Plan Area on their merits but this would need to be determined on a case by case basis and would be guided by the provisions in the *GCDP 2003-2009* and the LAP, in particular the following Development Management Guideline on Page 101 of the LAP:

Tourism development will primarily be accommodated within the Village Core area. Where a proposed tourism development serves the general public and requires a location adjacent to the coast or other amenity area, this may be considered by the Planning Authority subject to considerations in respect of the need for the facility, the potential environmental impact and the proper planning and sustainable development of the area.

In addition, it is not considered appropriate to remove School Site Option 3 from the lands for the following reasons:

- This will remove one of the school site options that is considered necessary to include in order to provide flexibility to ensure that the commitments in the LAP to the provision of a new school site, as set out under Objective CF1 and as identified as a major community facility requirement through the extensive public consultation process undertaken in Bearna, can be delivered upon.

Recommendation:

Plot A

No change recommended.

Plot B

Not appropriate to consider under Manager's Report as proposals do not relate to a material alteration/amendment of the LAP (i.e. no change recommended).

Cllr Conneely introduced a map to the meeting and proposed to zone the lands as outlined in blue on the map from Coastal Edge to Outer Village.

Ms McConnell stated that the lands the subject of the above submission did not form part of the published amendments or material alterations and therefore could not be considered. She added that there was no change to the recommendation in the Manager's Report.

Mr. Ridge advised the Members that they should not consider the submission from Cllr. Conneely as it did not relate to any of the published Amendments. He added that it was his role to advise the Members on the proper procedures to follow and that the Members could decide to accept or reject this advice but the consequences of their decision would lie with each and everyone one of them.

Cllr Kyne stated that at this stage of the plan process only the published amendments can be dealt with and that the lands in question should not be dealt with as the public would be denied a right to comment on this change.

The County Manager reiterated the advice given by Mr. Ridge and added that considering this submission at this stage of the plan process would not be in accordance with statutory procedures.

Cllr Hynes asked if this proposal could be addressed again

Mr. Ridge stated that it could be addressed at some stage in the future when the plan is being reviewed.

Cllr Conneely stated that the priority ordering of the Primary School Options was amended and that there was now an additional primary school site option.

Mr. Ridge stated that the published amendments are as presented in the document at the meeting.

Cllr Joyce asked if considering this new proposal at this stage of the process was illegal or not and what would the consequences if a vote was taken on this proposal.

Mr. Ridge stated that the public were been misled if a particular zoning was not what they were lead to believe it was in the published amended draft plan. He added that he was not in favour of this zoning and strongly advised against it.

He also added that his advice had been consistent with advice given in the making of all Local Area Plans to date.

Cllr Burke stated that the County Solicitor should be present at the Council Meetings.

The County Manager stated that it was her understanding that accepting a submission at this stage of the local area plan process was illegal.

The Mayor advised the Members to accept the advice give by the Director in relation to the proposal from Cllr Conneely as there would not be an opportunity for the public to comment on it.

Comh O'Tuairisg stated that the proposal from Cllr Conneely had been discussed at length.

It was proposed by Cllr Conneely and seconded by Cllr Welby to zone the lands the subject of a submission made by Cllr Conneely to the meeting from Coastal Edge to Outer Village

It was proposed by Comh O'Tuairisg and seconded by Cllr Kyne to accept the

recommendations in the Manager's Report.

A vote was taken on Comh O'Tuairisg's proposal and the result was as follows;

AR SON, Cllr Burke, Cllr Canney, Cllr Carey, ,Cllr Connaughton, Cllr D Connolly Cllr M. Connolly, Cllr Cuddy Cllr Feeney, Cllr Hoade, Cllr Joyce, Cllr Kyne, Cllr McDonagh Cllr McHugh , Comh Ní Fhatharta, Comh. O'Cuaig, Comh O'Tuairisg ,Cllr T.Walsh, Cllr. Willers (18)

AGHAIDH:, Cllr. Conneely, , Cllr Hynes, Cllr Maher ,Cllr Regan, Cllr Reilly, Cllr S Walsh, Cllr T Welby (7)

Gan Votáil: (0)

The Mayor declared Comh. O'Tuairisg's proposal carried

Cllr S. Walsh referred to the Primary School Option No 7 and enquired as to what was available to the landowner by way of Community gain.

Ms McConnell stated that Option No 7 for the Primary School Options was included as a peripheral site for the primary school and added that there were several other sites in far better locations on which positive feedback had been received.

Mr. Ridge stated that advertisement for proposals will be begin once the Bearna Local Area Plan was adopted. He added that this was the fairest and most open way to get submissions from the public.

2.2 Issue 2 – General/Introduction

Submitted By:

- No. 7 – Frances Heaslip (DoCENR)
- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 21 – Nore Keneghan (DoEHLG)

2.2.1 Sub-Issue 2A – No Comment

Submitted By:

- No. 7 – Frances Heaslip (DoCENR)

Summary:

The Department of Communications, Energy and Natural Resources (DoCENR) have no comments to make at this time. This is without prejudice to any comments that the Western Regional Fisheries Board may have in this matter.

Response:

None required.

Recommendation:

No change recommended.

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

2.2.2 Sub-Issue 2B – Innovative Approach

Submitted By:

- No. 21 – Nore Keneghan (DoEHLG)

Summary:

The submission from the Department of the Environment, Heritage and Local Government (DoEHLG) commends Galway County Council on the innovative nature of the LAP, which attempts to address the challenges that have arisen due to the very rapid growth of Bearna. The Council are to be complimented on seeking to find new solutions to facilitating the growth of a sustainable community.

However, due to the innovative nature of the approach, its implementation would need to be monitored closely and updated as appropriate, to ensure that the village of Bearna grows in a manner which is appropriate to the character of the village and protects its natural heritage and amenity and also delivers the appropriate physical and social infrastructure.

Response:

It is acknowledged that the innovative nature of the LAP will require close monitoring during the implementation phase to ensure that the objectives of the LAP are being delivered in accordance with proper planning and sustainable development. This will be a matter for the implementation phase following the adoption of the LAP.

Recommendation:

No change recommended.

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

2.2.3 Sub-Issue 2C – Support a Number of Proposed Amendments

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

Summary:

The submission supports a number of proposed amendments to the Draft LAP as follows:

- Introduction of Rural Enterprise to Village Core, Inner Village, Outer Village, Rural Fringe, Green Wedge and Coastal Edge – Objective LU2 – Village Enhancement Zone (Page 14); Objective LU6 – Rural Fringe Area (Page 15); Objective LU7 – Green Wedges Area (Page 15); Objective LU8 – Coastal Edge Area (Page 15); & Section 4.1.10 – Guidelines for Agriculture, Forestry and Extractive Development (Page 113).
- Increase in residential units in Outer Village Area – Objective LU5 – Outer Village Area (Page 15); & Section 3.3.1 Outer Village Framework (Page 79).
- Change of the wording from ‘may be accommodated’ to ‘shall be accommodated’ – Objective LU6 – Rural Fringe Area (Page 15); Objective LU7 – Green Wedges Area (Page 15); Objective LU8 – Coastal Edge Area (Page 15).
- Material Alterations MA1, MA2 & MA3 – Map 2.3.2A; & Map 2.3.2B (Page 17).
- Removal of Option 7 for the Primary School and the introduction of Option 4 – Objective CF1 – National School (Page 32); & Table D1 Primary School Site Options (Page 155).
- Reduction in Buffer Area around environmental designations from 30m to 10m in width – Objective NH15 – Buffer Area (Page 62).
- Inclusion of ‘Enterprise/Public Developments’ under ‘Land Uses’ in Village Core – Section 3.1.1 Village Core Framework (Page 77 & 78).
- Provision of a new stand alone tertiary treatment plant to serve existing and future developments in Bearna – Objective IS3 – New Wastewater Treatment Plant (Page 74).
- Addition of ‘Recycling Facilities’ with respect to ‘Roads and Infrastructure’ – Section 3.1.1 Village Core Framework (Page 77 & 78).
- Addition of ‘Public/Small-Scale Enterprise Developments’ in the Land Uses and Areas of Inner Village Framework – Section 3.2.1 Inner Village Framework (Page 82).
- Addition of ‘Rural Enterprise’ in Land Uses and Areas in Rural Fringe Framework – Section 3.4.1 Rural Fringe Framework (Page 88).
- Addition of ‘Rural Enterprise’ in Land Uses and Areas in Green Wedge Framework – Section 3.5.1 Green Wedge Framework (Page 90).
- Addition of ‘Farm Related Developments and Rural Enterprise’ in Land Uses and Areas in Coastal Edge Framework – Section 3.6.1 Coastal Edge Framework (Page 93).
- Insertion of paragraph on small businesses and enterprises in Village Core, Inner Village and Outer Village areas – Section 4.1.7 Guidelines for Industrial, Enterprise, Wholesale and Warehousing (Page 114).

Response:

None required where this Manager’s Report does not recommend any changes to the above objectives or sections in the LAP. Refer to relevant sub-issues where changes are proposed.

Recommendation:

None required where this Manager’s Report does not recommend any changes to the above objectives or sections in the LAP. Refer to relevant sub-issues where changes are proposed.

On the proposal of Comh Ni Fhatharta and seconded by Comh O’Tuairisg it was agreed to accept the recommendation in the Manager’s Report.

2.3 Issue 5 – Land Use Development

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 10 – Debbie O'Flaherty
- No. 11 – Aidan Donnelly
- No. 14 – Marion Walters, Maureen Feeney & Debbie O'Flaherty
- No. 15 – J Cunningham, Florence Diel, Eileen Murray, Morgan Curran, ML Conroy, Tara Siemon & Karen Connor
- No. 16 – Yvonne Flaherty, Orla Flanagan & Tom GL
- No. 17 – Joe O'Flaherty & Deirdre O'Flaherty
- No. 19 – Pobal Bhearna Community Group

2.3.1 Sub-Issue 5A – Genuine Rural Generated Housing Need

Submitted By:

- No. 10 – Debbie O'Flaherty
- No. 14 – Marion Walters, Maureen Feeney & Debbie O'Flaherty
- No. 15 – J Cunningham, Florence Diel, Eileen Murray, Morgan Curran, ML Conroy, Tara Siemon & Karen Connor
- No. 16 – Yvonne Flaherty, Orla Flanagan & Tom GL
- No. 17 – Joe O'Flaherty & Deirdre O'Flaherty

Summary:

The submissions refer to the change of wording from “local housing need” to “genuine rural generated housing need” in Objective LU2 (Village Enhancement Zone on Page 14) and Objective LU6 (Rural Fringe Area), LU7 (Green Wedges Area) and LU8 (Coastal Edge Area) (on Page 15).

Clarification is requested regarding the effect this change will have on locals who have the criteria under local housing need (reared, attended school locally, etc.) to obtain planning regardless of whether they are from the consolidation or enhancement zone of Bearna.

The submission states that, if this change prevents Bearna locals with local housing need eligibility from areas within the consolidation zone of Bearna from obtaining planning permission in the enhancement zone of Bearna, it is requested that the wording should remain as “local housing need”.

Response:

The change in wording from ‘local housing need’ to ‘genuine rural generated housing need’ has been made in response to a number of submissions made in respect of the Draft LAP that raised concerns or requested clarity regarding the use of the word ‘local’ in local housing need and in order to ensure that the LAP is consistent with the wording used in the *GCDP 2003-2009*, in particular Policy 90.

The change in wording does not represent a change in policy from the Draft LAP to the Amended LAP, it is merely intended to make the link between the LAP and the *GCDP 2003-2009* clearer and more explicit. The LAP is subject to the requirements in the *GCDP 2003-2009* and these shall apply as applicable in the Bearna Plan Area regardless of whether the wording used ‘local housing need’ or ‘rural generated housing need’.

Recommendation:

No change recommended.

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

2.3.2 Sub-Issue 5B – Rural Enterprise

Submitted By:

- No. 19 – Pobal Bhearna Community Group

Summary:

The submission notes that the wording 'rural enterprise shall be accommodated' has been inserted in many places throughout the Amended LAP. The submission raises concerns that this terminology is dangerous and potentially damaging as 'rural enterprise' has not been defined in the Amended LAP.

With respect to Objective LU8 – Coastal Edge Area, the submission urges the removal of the reference to 'rural enterprise shall also be accommodated' as 'rural enterprise' has not been defined and therefore could have many interpretations that could contradict the spirit and letter of the Lap with respect to coastal protection.

Response:

The provisions regarding Rural Enterprise in the Amended LAP have been based on recognition that there is a need to promote local economic development within the Bearna Plan Area to provide local employment and income earning opportunities and to provide an alternative to the common commuting pattern into Galway City for employment. The LAP provides guidance regarding Rural Enterprise developments under the Development Management Guidelines section of the LAP as follows:

Rural Enterprise developments may be considered in the above areas where considered appropriate by the Planning Authority, subject to the provisions in the GCDP 2003-2009, including Policy 180.

The Amended LAP refers to the *GCDP 2003-2009*, which provides a definition of rural enterprise and additional guidance regarding the development of rural enterprise.

Policy 180 of the *GCDP 2003-2009* states as follows:

Key rural assets must be protected and the local potential of rural areas developed. This will be achieved through identifying, conserving and developing on a sustainable basis the various types and combinations of economic strengths of rural areas, with the support of appropriate levels of infrastructure provision. Their potential for economic activity, such as natural resource, local enterprise and tourism related development, and qualities that underpin such activity such as a clean and attractive environment will be central to this process.

Policy 21 of the *GCDP 2003-2009* states as follows:

Support the organic growth of small rural enterprises from on farm supplementary income level to commercial viability by the identification of Commercial Settlement Zone.

Section 2.1.8 of the *GCDP 2003-2009* defines rural enterprise as follows:

Rural Enterprise can be defined as business or small scale industrial projects or services which are related to normal rural activities and cater for the needs of a predominantly rural client base. Examples would include animal feed depots, trailer making, farm produce processing or packing, organic or artisan food production, etc.

Policy 23 of the *GCDP 2003-2009* states as follows:

Small scale enterprises, which applicants seek to establish in rural areas in which the applicant is resident which can be accommodated in existing farm buildings or can be established on brownfield sites and which are not suitable or where the applicant can demonstrate, with documentary evidence, would not be viable on industrial or commercially zoned lands in towns and villages will be considered on individual merit. Criteria that will be considered will include:

- (a) Scale of development (number of employees, scale of buildings required).*
- (b) Nature of the development.*
- (c) "Good Neighbour" principles (compatibility with agricultural land uses and impact on existing residences).*
- (d) Impact on road network, road capacity and traffic levels.*
- (e) General suitability in the unserved rural area.*
- (f) Substantiate need to locate in rural area.*
- (g) Consideration of social, economic and environmental impacts.*
- (h) Re-use of existing buildings.*
- (i) Re-use of brownfield sites.*

The provisions in the *GCDP 2003-2009* shall be applied as appropriate in the Village Enhancement Zone in Bearna, subject to requirements in terms of the protection of the environment and amenities, adequate access and servicing, etc. as set out in the LAP and the *GCDP 2003-2009*. In the interests of clarity, it is suggested that more explicit reference is made to the definition and guidance contained in the *GCDP 2003-2009* with respect to rural enterprise.

Recommendation:

It is recommended that the following text (highlighted in bold blue text) be inserted under the Development Management Guidelines in Section 4.1.10 of the LAP:

The above provisions will generally apply in the Coastal Edge, Green Wedge and Rural Fringe areas where proposals for agricultural development are likely to arise. Rural Enterprise developments may be considered in the above areas where considered appropriate by the Planning Authority, subject to the provisions in the GCDP 2003-2009, including Section 2.1.8, Policy 21, Policy 23 and Policy 180.

On the proposal of Comh O'Tuairis and seconded by Comh Ni Fhatharta it was agreed to accept the recommendation in the Manager's Report

2.3.3 Sub-Issue 5C – Green Wedges Area

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

Summary:

The submission refers to a joint landowner's submission submitted on 13 July 2007 that was omitted from the Manager's Report on the Draft LAP. The submission referred to the rezoning of the Green Wedge in Fermoy West to Rural Fringe. The submission asks that this omission be put right and that said submission be adopted by rezoning the western Green Wedge to Rural Fringe, as has happened with a portion of the said Green Wedge in MA3.

Response:

The submission does not identify the names of the landowners that made the submission. From an inspection of all of the submissions made on 13 July 2007, it was noted that Submission No. 93 made by Peter O'Fegan on behalf of the Barna Handball Club on 13 July 2007 has an attached page listing all of the landowners in the western Green Wedge and opposing the Green Wedge zoning of the lands.

Galway County Council acknowledged receipt of this submission in writing on 13 July 2007. The issue of the Green Wedges in general and the western Green Wedge in particular was extensively dealt with under the previous Manager's Report, including under Sub-Issue 5E – Green Wedges Area. The response under this sub-issue stated as follows

The relevant LAP provisions for the Green Wedge area are as follows:

Development Strategy – Objective LU7 (Green Wedges Area)

Retain the areas adjacent to Liberty Stream in the west and Barna Woods in the east as Green Wedges that separate Bearna from Galway City and Na Forbacha, retain the landscape setting and unique village character of Bearna, prevent further ribbon development along the coast and provide opportunities for recreation and amenity. Local housing need may also be accommodated subject to the provisions in the GCDP 2003-2009 and the LAP.

Development Framework – Green Wedge Area

Accommodate Local Housing Need, subject to high standards of siting & design, compliance with the requirements of the GCDP 2003-2009, including the appended Design Guidelines for the Single Rural House, & those in this LAP, including the relevant provisions in VD9 & SECTION 4.1.5.

Development Management – Green Wedge Area

Local housing need development in the Village Enhancement Zone should generally be located in the Rural Fringe area wherever possible to avoid impacting on the sensitivities and objectives associated with the Green Wedge and Coastal Edge areas. Applicants will be encouraged to submit landholding maps showing their lands so that opportunities for the optimum location, siting and design of developments can be explored.

The Green Wedge area as proposed in the Draft LAP therefore performs a number of important roles in the Plan Area, including amongst others:

- *A strengthened buffer between the village and the city, which will help to retain the separate identity of the village.*
- *An area for community facilities and amenities to serve the growing population in Bearna.*
- *A landscape, environmental and visual asset that forms an important part of the character and setting of the village.*
- *A location for local housing need development to support local families and those with links to the local area. The LAP strongly supports developments related to local housing need for local families*

and others qualifying under the current GCDP 2003-2009. This is clearly stated in numerous sections of the LAP.

The use of the word local housing need 'may' be accommodated in the Green Wedges and Coastal Edge area is not intended to imply that local housing need developments in these areas will be prevented or given low priority. These areas clearly allow for local housing need developments, as expressed in the wording for the Village Enhancement Zone (these areas will 'accommodate local housing need'), the development potential estimates for these areas (which quantifies the number of local housing need units that could potentially be developed in these areas) and numerous statements throughout the LAP supporting local housing need development in the Plan Area. Not all planning applications based on local housing need grounds will be successful given that normal planning considerations (such as safe access and wastewater disposal) must be applied in all cases and it would therefore be inappropriate to use the word 'shall' be accommodated, as this would imply that developments would be permitted irrespective of other normal planning considerations.

The use of housing need provisions in the Village Enhancement Zone is considered essential to: ensure that the strategic aim of consolidating the village can be promoted and achieved; to prevent further unsustainable ribbon development; to minimise landscape, visual and environmental impacts of urban generated development in the countryside; to promote an efficient use of services, infrastructure, facilities and public transport in the Village Consolidation Zone; to retain the village character and amenity of Bearna; to create a high quality public realm and environment in the village centre; to ensure consistency with the GCDP 2003-2009 given the location of Bearna within the GTPS.

The majority of submissions request that the Green Wedge area be replaced with Rural Fringe area. There is in fact very little difference between the two areas with regard to accommodating local housing need developments and the density at which these can be developed. The main difference between the two areas is that the LAP encourages these developments to be located in the Rural Fringe area and not the Green Wedge area where applicants have lands available in the Rural Fringe for this use in order to protect the greater environmental and landscape sensitivities associated with the Green Wedge area.

It is accordingly considered on the basis of the above that that this issue has been comprehensively addressed in the previous Manager's Report.

Recommendation:

No change recommended.

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

2.3.4 Sub-Issue 5D – Existing Land Use Pattern

Submitted By:

- No. 11 – Aidan Donnelly

Summary:

The submission supports the outcome of MA8 which is to give more balance to the future development of Bearna but raises concerns that this could have been achieved more easily and with better overall outcomes by making the Village Core area larger. This should be reconsidered as part of finalising the Draft LAP.

Response:

In the First Manager's Report, MA8 relates to the change on Map 2.3.1 – Existing Land Use Pattern from an area outside of the Bearna Plan Area from 'Caravan Park' to 'Open Space/Recreation and Amenity' to reflect the change in land use of this area. It is not clear how this will give more balance to the future development of Bearna. The issue raised in relation to the extension of the Village Core area does not form part of the material alterations/amendments to the LAP and accordingly cannot be considered in this Manager's Report.

Recommendation:

No change recommended.

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

2.4 Issue 6 – Village Design

Submitted By:

- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

1.1.1 Sub-Issue 6A – Gateways, Entrances and Thresholds

Submitted By:

- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 19 – Pobal Bhearna Community Group

The submission supports the material addition of Objective VD7, which encourages appropriate gateways, entrances and thresholds.

- No. 11 – Aidan Donnelly

The submission supports the introduction of this policy and its intent but questions how the Council will ensure that it is delivered in practice particularly given the proposal for a new road through the middle of the village and in the absence of suitable high quality design controls and requirements for the Council's own road project.

Response:

Objective VD7 in the Amended LAP states as follows:

Objective VD7 – Gateways, Entrance and Thresholds

Appropriate gateways, entrances and thresholds should be encouraged at the edges of the village and at the entrance to major new developments. The entrances to the village along the main approach routes should be designed as gateways with high quality public spaces and/or building/structures to create a sense of place, arrival and identity.

The Objective VD7 introduces positive design guidelines in respect of gateways, entrances and thresholds in Bearna. The delivery of this objective will be dealt with after the adoption of the LAP. New developments will be required to consider the various policies and objectives in the LAP. It is also recommended under Sub-Issue 9B that Forward Planning and Road Design collaborate on the detailed design of this route on an ongoing basis following the adoption of the LAP to ensure a high quality of design along the new village street.

Recommendation:

No change recommended.

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

2.5 Issue 7 – Community Facilities and Amenities

Submitted By:

- No. 2 – Eugene McKeown
- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 11 – Aidan Donnelly
- No. 13 – Seamus Murphy (Barna United Football Club)
- No. 18 – Pdraigh Carroll (Bearna Basketball Club)
- No. 19 – Pobal Bhearna Community Group

2.5.1 Sub-Issue 7A – National School

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 11 – Aidan Donnelly
- No. 13 – Seamus Murphy (Barna United Football Club)
- No. 18 – Pdraigh Carroll (Bearna Basketball Club)
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

The submission states that the LAP should not prejudice the sale of the existing school site in order to raise funds to fund a new site or to part fund the construction of new school(s).

- No. 11 – Aidan Donnelly

The submission states that the changes to the weighting and preference for the community facilities is not supported and the Amended LAP does not provide sufficient certainty for the community that facilities will be delivered commensurate with remand. A community facilities investment and delivery plan should form part of the Bearna LAP with a programme of milestones for decision making and implementation.

- No. 13 – Seamus Murphy (Barna United Football Club)

The submission is supportive of the LAP's inclusion and support of the Barna Co-op initiative to provide a 50 acre sports campus for the area and the inclusion of an additional sports site option. The submission welcomes the inclusion of the new school site option and is fully supportive of this site, it notes that this will reduce the actual amount of land available for amenity and suggests that there is great merit in site option 1, in conjunction with the school, to provide mutually beneficial amenities.

- No. 18 – Padraigh Carroll (Bearna Basketball Club)

The following main points are raised in the submission:

- Strongly supports the inclusion of site option 4 for the school in the LAP and notes that this could be located on part of the site of option 1 for the sports facility.
- There is an option to cluster the school and sports facilities and this will facilitate multi-purpose use of facilities and amenities, provide mutual benefits, allow for joint sourcing of funding, etc.
- The provision of an adequate site, free of charge, is essential to progress the funding of the school site and sports/amenity lands.
- Supports sports site option 1/school site option 4 and notes that this could provide a new community focal point in Bearna.
- The possible acquisition, free of charge, of an adequate area of land of the size being put forward by a number of landowners in the above location is a once off opportunity and the Council should proactively support the submission and do all that is feasible to ensure that the opportunity is not lost.
- The provision of the sports site option 1 is not dependent on the school, however, and should be pursued even if the school is located elsewhere.
- There is a shortage of facilities in Bearna and the club needs a local venue to cater for their growing membership.

- No. 19 – Pobal Bhearna Community Group

The submission supports the material alterations with respect to the School Site Options but states that it is critical that 'proximity to main population centre' should be one of the main criteria used to select the actual site for Bearna's new Primary School.

Response:

The LAP provides clear guidance on the criteria to be used to select an appropriate site for a new school. In particular, the LAP states as follows (Page 29):

The Plan does not rule out alternative options to those identified, but any proposed site would need to demonstrate that it satisfies a range of criteria, including:

- *Sufficient site size (i.e. a minimum of 5 – 7 acres or more depending on location) for expansion, good level of playing pitch facilities, opportunity for clustering with a secondary school, etc.*
- *Ease of access for public transport, including walking and cycling access within a reasonable distance from the village centre.*
- *Safe and direct access for private transport, including direct or indirect access to a major local route, either Moycullen Road, the R336 or the proposed new village street.*
- *Clustering with complementary facilities and/or linkages to nearby facilities and amenities.*
- *Minimal environmental and landscape impact.*
- *High level of design, access, siting, etc.*
- *Secure legal agreement for the land before the other identified sites are developed.*

Objective CF11 – Existing Facilities of the LAP states as follows:

Retain existing facilities and prevent change of use or redevelopment, unless it can be clearly demonstrated that the facility is no longer required and that the new use or development contributes to the community needs of the village. This would include the existing tennis courts, school, church, handball alley, GAA pitch and local beaches.

The above would allow for the existing school site to be used as proposed in the submission provided the site is no longer required and the new use contributes to the community needs of the village.

The ranking of facilities has been based on an assessment against a range of criteria, including proximity to the community, ease of access, impact on environmental features, etc. and it is accordingly considered that this represents the preferential sites. The LAP has included a range of options in order to ensure that there is flexibility and that lands can be delivered for facilities. It is beyond the scope of the LAP to include an investment and delivery plan as part of the LAP and the delivery of facilities will be managed during the implementation phase of the LAP in accordance with the policies and objectives set out in the LAP.

Recommendation:

No change recommended.

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

2.5.2 Sub-Issue 7B – Sports and Recreation Facilities

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 11 – Aidan Donnelly
- No. 13 – Seamus Murphy (Barna United Football Club)
- No. 18 – Padraigh Carroll (Bearna Basketball Club)
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

The submission regards Section 4.1.8 (Page 118) as too restrictive in that it excludes available sports option 6 at Paddy's Cross road. Equal status should be given to any "sports campus site" within reasonable distance (2 miles) of the village centre where the site can be provided in a speedy fashion. It is proposed that the wording in this section be amended as follows:

"In order to ensure the speedy delivery of sports and recreation lands for Bearna, the planning authority will support site locations for a suitable sports and recreation lands within a 2 mile distance of Bearna village."

- No. 11 – Aidan Donnelly

The submission states that the changes to the weighting and preference for the community facilities is not supported and the Amended LAP does not provide sufficient certainty for the community that facilities will be delivered commensurate with remand. A community facilities investment and delivery plan should form part of the Bearna LAP with a programme of milestones for decision making and implementation.

- No. 13 – Seamus Murphy (Barna United Football Club)

The submission is supportive of the LAP's inclusion and support of the Barna Co-op initiative to provide a 50 acre sports campus for the area and the inclusion of an additional sports site option. The submission welcomes the inclusion of the new school site option and is fully supportive of this site, it notes that this will reduce the actual amount of land available

for amenity and suggests that there is great merit in site option 1, in conjunction with the school, to provide mutually beneficial amenities.

- No. 18 – Padraigh Carroll (Bearna Basketball Club)

The following main points are raised in the submission:

- Strongly supports the inclusion of site option 4 for the school in the Amended LAP and notes that this could be located on part of the site of option 1 for the sports facility.
- There is an option to cluster the school and sports facilities and this will facilitate multi-purpose use of facilities and amenities, provide mutual benefits, allow for joint sourcing of funding, etc.
- The provision of an adequate site, free of charge, is essential to progress the funding of the school site and sports/amenity lands.
- Supports sports site option 1/school site option 4 and notes that this could provide a new community focal point in Bearna.
- The possible acquisition, free of charge, of an adequate area of land of the size being put forward by a number of landowners in the above location is a once off opportunity and the Council should proactively support the submission and do all that is feasible to ensure that the opportunity is not lost.
- The provision of the sports site option 1 is not dependent on the school, however, and should be pursued even if the school is located elsewhere.
- There is a shortage of facilities in Bearna and the club needs a local venue to cater for their growing membership.

- No. 19 – Pobal Bhearna Community Group

The submission supports the inclusion of Option 4 as a potential site for a Comhar Cumman Sports Campus but notes that it is quite removed from the proposed highest density population centre.

Response:

Site option 4 has been added given that is a relatively large piece of land, as required for a multi-purpose sports facility, it is located within the Bearna Plan Area, the landowner has indicated a willingness to consider sports and recreation type facilities on part of the lands and it will provide greater flexibility and options in terms of the delivery of a site for these facilities. Other siting options identified in the LAP are located in closer proximity to the village centre and these will be pursued as the preferred options.

Section 4.1.8 of the Amended LAP states as follows:

Sports and recreation facilities should ideally be located within walking and cycling distance of existing residential communities. Suitable provision for the establishment of cycling and walking tracks should be made on the local road network and/or along the amenity network enabling safe travel to sports and recreation facilities.

This is considered a reasonable approach to ensure that facilities are easily accessible to the community that will utilise them, that they will be adequately connected to the village and that they can be efficiently accessed and serviced. The LAP provides flexibility to ensure that there are a range of options for delivering land for these facilities but clearly sets out the priorities and preferences that should be pursued in the interests of proper planning and sustainable development.

The ranking of facilities has been based on an assessment against a range of criteria, including proximity to the community, ease of access, impact on environmental features, etc. and it is accordingly considered that this represents the preferential sites. The LAP has included a range of options precisely in order to ensure that there is flexibility and that lands can be delivered for facilities. It is beyond the scope of the LAP to include an investment and delivery plan as part of the LAP and the delivery of facilities will be managed during the implementation phase of the LAP in accordance with the policies and objectives set out in the LAP.

Recommendation:

No change recommended.

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

Sub 2.5.3 Sub-Issue 7C – Community Facilities and Amenity Network Objectives

Submitted By:

- No. 19 – Pobal Bhearna Community Group

Summary:

The submission supports the amendments/material alterations to the following objective regarding community facilities:

- Objective CF5
- Objective CF7
- Objective CF8
- Objective CF12
- Objective CF16
- Objective CF18

Response:

None required.

Recommendation:

No change recommended.

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

2.5.4 Sub-Issue 7D – Amenity Network/Greenway Linkages

Submitted By:

- No. 2 – Eugene McKeown
- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

Summary:

- No. 2 – Eugene McKeown

The submission makes reference to the following:

Objective CF18 – Local Linkages and Boreens

Support the provision of local linkages from significant new developments to the main amenity network. This could follow existing boreens, field/property boundaries or other routes as appropriate, subject to agreement from affected landowners.

The submission welcomes the objective as a means to address the severance that will be caused by the Inner Relief Road until the GCOB is constructed and traffic control measures are implemented on this new high speed route through the village.

In order to preserve the maximum number of existing linkages, the submission includes two maps with the boreens marked on the 1979 Ordnance Survey Sheets and additional dashed lines showing where additional linkages could be created by incorporating the banks of existing streams. The submission notes that a comprehensive network of linkages would be provided if this approach were to be adopted.

The submission notes that the wording of Objective CF18 does not go far enough in protecting these existing linkages and requests that the following sentence be added to the objective:

“As a minimum routes marked on the Ordnance Survey maps published prior to 1980 shall be maintained or replaced with an equivalent route through any affected lands on all planning applications lodged after the adoption of this plan.”

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

The submission propose that the following wording be inserted under Section 4.1.8 (Page 119) to ensure that existing rights to an agricultural water supply are maintained for local families:

“Where a streamside/greenway linkage interferes with access to an agricultural water supply, Galway County Council will replace the supply with a free water mains connection and a free supply of water for agricultural use in perpetuity.”

It is also proposed that the following amendment be made:

“Streamside/greenway linkages should not be allowed permitted to with normal drainage and flash flood drainage from adjacent lands and properties.”

Response:

The Amended LAP includes development Policies (2.5.2B), Objectives (CF13 to CF18) and Development Management Guidelines (Section 4.1.8) with respect to greenway linkages, local linkages and boreens and MAP 2.5.2B shows the main elements of the amenity network. In addition, Objective NH7 and NH21 provide further protection for the watercourses and streams within the Beama Plan Area.

The detailed identification of local boreens and minor stream segments is beyond the scope of the LAP and would need to be dealt with on an ongoing basis as planning applications are submitted for developments that affect local boreens, streamside greenway linkages, etc.

Section 4.1.8 states as follows:

- *Greenway linkages should take account of existing residential properties, agricultural uses and other activities that require privacy and/or screening from public routes and should be located and designed to ensure that the safety, privacy and amenity of these existing uses are not unduly adversely affected.*

The above refers specifically to existing agricultural uses and the amenity of existing properties and this will therefore be considered in any scheme or proposal. The particular measures required in a particular location will need to be decided on a case by case basis.

Recommendation:

No change recommended.

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

2.6 Issue 8 – Heritage and Environment

Submitted By:

- No. 5 – Denis Healy
- No. 6 – John O'Donnell
- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 19 – Pobal Bhearna Community Group
- No. 20 – AP McCarthy Planning Consultants Ltd.
-

2.6.1 Sub-Issue 8A – Architectural Heritage

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

The submission requests that number 9 Ball Alley be changed from 'currently derelict and not in use' to agree with same change elsewhere in the LAP.

- No. 19 – Pobal Bhearna Community Group

The submission supports the amendment to Objective BH7 – New Works under Architectural Heritage but states that this Objective should read as follows:

“New works should be in keeping with the roof type, windows, finishes and height of traditional buildings as appropriate.”

The submission considers that it is not appropriate for building height and finishes to be in keeping with buildings constructed in the last 4 years in Bearnna. The vast majority of respondents to the Pobal Bhearna Surveys have favoured a general ceiling height in the LAP of 2 storeys with further restriction on the seaside of the R336 to less than 2 stories, with low pitched roofs.

Response:

Objective BH7 in the LAP states as follows:

Encourage that any new works contribute positively to the architectural and historic character of the area, its present and future life. New works should be in keeping with the roof type, windows, finishes and height of existing buildings, as appropriate.

It is acknowledged that the finishes and heights of certain new developments in Bearna may not be entirely in keeping with traditional buildings in Bearna and that the proposed terminology would provide greater clarity on this issue. It is also considered, however, that there should be a level of flexibility in the design and finishes used in new developments in Bearna to ensure that contemporary high quality buildings and/or innovative design solutions may be accommodated where these are appropriate for urban design reasons. The wording used in the above Objective that new works should be 'in keeping' may be interpreted in a manner that restricts the development of high quality contemporary buildings that are still complementary to existing traditional buildings and/or the character of the village. It is accordingly recommended that the wording be amended to provide sufficient guidance to protect the character of the village while still allowing for high quality contemporary developments that complement that character.

It is recognised that Table 2.6.2C – Structures of Local Interest should be amended to reflect the other changes to the LAP (i.e. that the handball is in use).

Recommendation:

It is recommended that the wording of Objective BH7 be clarified as follows (changes recommended highlighted in bold blue text):

*Encourage that any new works contribute positively to the architectural and historic character of the area, its present and future life. New works should be **complementary to the character and setting of traditional buildings and the character of the village. Where the character of traditional buildings is directly affected by new works, these should be in keeping with the roof type, windows, finishes and height of existing traditional buildings.***

It is recommended that Table 2.6.2C be amended as follows (highlighted in bold blue strikethrough text):

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

9 – Handball Alley

Handball alley located at the junction of Silver Strand Road and the R336 in Lenarevagh Townland. ~~Currently derelict and not in use.~~

2.6.2 Sub-Issue 8B – Local Streams

Submitted By:

- No. 5 – Denis Healy
- No. 19 – Pobal Bhearna Community Group

Summary:

The submissions strongly object to the material alteration that removes the 10m buffer for the Trusky Streams and Liberty Streams (Objective NH7). It is argued that:

- This material alteration is in direct conflict with Galway County Council's statutory obligations to prevent any further deterioration in the water quality of these streams.

- Galway County Council is aware of its obligations to improve water quality in Bearna and the LAP makes reference to the statutory obligation to improve water quality under the Water Framework Directive but it proposes developments that are likely to exacerbate the problem and proposes no effective immediate water treatment measures to counter the problem.
- The wastewater treatment proposals in the LAP are inadequate, will allow for temporary on-site systems and will exacerbate pollution problems in Bearna.
- The provisions in the LAP will not deal with existing pollution levels to improve the now polluted status of waters in Bearna.
- Galway County Council appears to be committed to waiting as long as possible before starting to implement measures that will restore good water quality by 2015, as required by the Water Framework Directive.
- In view of this, the provision of a minimum 10m buffer around the Trusky and Liberty Streams may provide some relief to these waters, and has other wildlife and amenity benefits.

Response:

The Draft LAP and the SEA have advocated a 10m buffer for these two main streams given that:

- There is evidence of serious pollution in the local streams in Bearna, particularly Trusky Stream.
- An adequate buffer is required to ensure that these two main streams can fulfill their many functions as water conduits, freshwater habitats, ecological linkages, flooding attenuation areas, etc. while at the same time include provisions for the main streamside amenity walkways to provide safe walking and cycling routes where appropriate as part of the amenity network proposed for Bearna.
- Future development in Bearna, particularly where this is served by on-site wastewater treatment systems, will place additional pressure on the already polluted streams in Bearna.

Recommendation:

It is recommended that the previous 10m buffer be reinstated for these two streams, Trusky and Liberty Streams under Objective NH7 as follows:

A minimum 10m buffer for the Trusky Stream and Liberty Stream to protect the watercourse and associated habitats and to provide for the new main green spine, amenity linkage and north/south connection across the Plan Area.

On the proposal of Comh O'Tuairisg and seconded by Cllr Welby it was agreed not to accept the recommendation in the Manager's Report but to reduce the buffer for the Trusky and Liberty streams to 6m.

2.6.3 Sub-Issue 8C – Designated Sites

Submitted By:

- No. 19 – Pobal Bhearna Community Group

Summary:

The submission objects to the reduction of the minimum buffer area with respect to environmental designations and states that this should remain at 30m and not 10m as currently amended in Objective NH15.

Response:

The Draft LAP and the SEA have advocated a 30m buffer for the designated sites given the need to protect the habitats and species in these environmental areas, which are of national and international importance under national and EU legislation, including: the Wildlife (Amendment) Act 2000 – Natural Heritage Areas EU Habitats Directive (92/43/EEC) and European Communities (Natural Habitats) Regulations 1997 (SI No. 94 of 1997) – Special Conservation Areas; and the EU Birds Directive 1979 (79/409/EEC) and European Communities (Conservation of Wild Birds) Regulations 1985 (SI No. 291 of 1985) – Special Protection Areas. It should also be noted that the designated sites are on the edges of the Bearna Plan Area and will not impinge on the Village Consolidation Zone and associated more intensive developments and will only cover a very small proportion of the Plan Area along the eastern and northwestern LAP boundary.

Recommendation:

It is recommended that the previous 30m buffer be reinstated for the designated sites under Objective NH15 as follows.

Objective NH155 – Buffer Area

Establish an appropriate buffer around all environmental designations to protect them from land use and development impacts. This shall be determined on a site specific basis depending on local ecological and drainage conditions and other factors as appropriate and shall in no case be less than ~~30m~~ ~~10m~~ 30m in width. This shall apply along Silver Strand Road and the north-western corner of the Plan Area to protect these designated sites.

Mr. Ridge stated that the purpose of the Plan is to communicate our intention to the public in relation to designated sites.

On the proposal of Comh O'Tuairisg and seconded by Cllr Welby it was agreed not to accept the recommendation in the Manager's Report but that the 10m buffer be reinstated for the designated sites under Objective NH 15.

2.6.4 Sub-Issue 8D – Coastal Edge Development Setbacks

Submitted By:

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 19 – Pobal Bhearna Community Group

The submission strongly objects to the qualifier added under Objective NH34 in the amended LAP as follows (in red text):

- *No development seaward of Lenarevagh Stream in the eastern portion of the Coastal Edge, other than as permitted under other sections in the LAP or as considered by the Planning Authority to be in the interests of proper planning and sustainable development.*

- No. 9 – Mairead Breathnach (Coiste Pobal Bhearna)

The submission requests that the alteration read as follows (proposed changes shown in bold red text):

- *No development seaward of Lenarevagh Stream in the eastern portion of the Coastal Edge, shall be permitted other than that considered by the Planning Authority to be in the interests of proper planning and sustainable development.*

Response:

The above provision has been added in the Amended LAP to ensure that developments that would have a requirement to be located in this area and would benefit the area would not be excluded by the other provisions under Objective NH34. For example, this might include an extended Silver Strand beach facility, additional parking areas, an amenity walkway, etc.

It is considered appropriate to retain the wording as set out in the amended LAP to ensure that any development is consistent with other provisions set out in the LAP and to make this clear under Objective NH34.

Recommendation:

No change recommended.

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

2.6.5 Sub-Issue 8E – Village Core Development Setbacks and Coastal Amenity Park

Submitted By:

- No. 6 – John O'Donnell
- No. 19 – Pobal Bhearna Community Group
- No. 20 – AP McCarthy Planning Consultants Ltd.

Summary:

- No. 6 – John O'Donnell

The submission notes that many of the submissions voiced their objections to there being development within at least 50m from the foreshore wall from the west side of Bearn Pier to Lacklea boreen and more suggested that the buffer for development should be at least 100m from the foreshore wall to facilitate a coastal amenity park and promenade.

The 30m and 15m setbacks proposed under the LAP goes against what the residents of Bearn want for their community and will detract significantly from one of the most valuable community facilities that the community has, namely the coastline and seafront. The only people to benefit from this decision are the developers. The submission accordingly states that this should be changed in the LAP.

- No. 19 – Pobal Bhearna Community Group

The objects to the material alteration of Objective NH35 through the removal of the words 'minimum' and 'absolute minimum'. Continued alteration (via successive amendments and Material Alterations) of the area designated as linear Coastal Amenity Park – as strongly supported by the vast majority of the existing residents of Bearn – undermines the original concept of a coastal amenity park. The submission argues that the absolute minimum building setback from the boundary wall should be 50m (with no exclusions) in order to

create sufficient space for a functional promenade, playground, picnic area, public parking and coastal amenity access.

- No. 20 – AP McCarthy Planning Consultants Ltd.

The submission notes that considerations relating to future development of lands adjacent to the seashore have been dominated by what can only be termed an 'obsession' with achieving the maximum setback from the seashore. It is suggested that the setback proposed as part of the planning process do not arise from a desire for good urban/village design, but as a means of reducing densities and the extent of development in the village centre area. The submission notes that most attractive coastal villages and towns have a close relationship between buildings and the waters edge and that large green amenity areas close to the coast are under-utilised and reduce interaction.

Response:

The amendments to Objective NH35 in the Amended LAP are as follows:

Objective NH35 – Village Core

An appropriate coastal development setback will be established in the Village Core area as follows:

- *There shall be a ~~minimum~~ general building setback of 30m from the foreshore field boundary line to allow for the development of the coastal amenity park and a seaside promenade, cycleway, children's playgrounds, landscaped amenity space with picnic tables, seating and improved access routes to the local beaches, Bearna Pier and water-based activities.*
- *A very limited number of public buildings (such as public toilets or a diving club) and/or those that require a coastal edge location (such as a pub and restaurant) may be inserted at appropriate locations in the amenity park, subject to an ~~absolute~~ minimum setback of 15m from the foreshore wall and low impact design and construction. The loss of parkland will be compensated by additional parkland areas extending from the coastal amenity park up towards the R336.*
- *Alternative innovative high quality design solutions may be considered where it delivers a coastal amenity park, seaside promenade and associated facilities.*

The Draft LAP has proposed the 30m and 15m setbacks in order to achieve a balance between the provision of a coastal amenity park and seaside promenade with the need to protect the sensitive coastal environment and the accommodation of high quality development along the seashore that will create a vibrant, active coastal edge to the village. It is considered that a 30m and 15m setback are not 'large green amenity areas' but rather provide the basis for an important amenity for the local community, an asset for new developments along the seashore and will help to protect the amenity of the coastal edge and provide for a high quality land/building/seashore interface. It should also be noted that the submission from Pobal Bhearna and the majority view in the numerous submissions received on the pre-draft and Draft LAP was that a minimum setback of between 50m and 75m from the boundary line was required in order to provide for a coastal amenity park.

The removal of the word 'minimum' from the 30m setback is not considered appropriate given the need to ensure that the 30m is considered the minimum setback necessary and that additional areas can be added where appropriate to provide an adequate width for a useable

and high quality coastal amenity park. It should be noted that there is still flexibility built into this requirement given the addition of the third bullet point under Objective NH35, as referred to above and set out below.

The removal of the word 'absolute' from the minimum 15m setback provides greater flexibility in the delivery of a coastal amenity park and associated development and particularly the advancement of innovative design solutions that may be put forward.

The additional bullet point in the amended LAP provides this greater flexibility but it is considered that additional guidance is required to ensure that key objectives in the LAP are not adversely affected by inappropriate proposals in this regard. In particular, there is a need to ensure that environmental, landscape and amenity considerations are adequately considered and addressed as well as financial and management considerations.

Recommendation:

It is recommended that the word 'minimum' in relation to the 30m setback be reinstated.

No change recommended with regard to the removal of the word 'absolute' from minimum 15m setback.

It is recommended that the final bullet point added in the amended LAP be amended to read as follows (additions highlighted in bold blue text):

- *Alternative innovative high quality design solutions may be considered where it delivers a coastal amenity park, seaside promenade and associated facilities. This would be at the discretion of the Planning Authority and would be subject to a full consideration of the costs and benefits of the proposal. This would include the additional community gain of any such proposals, the delivery of a high quality building/park/promenade/foreshore interface, adequate protection of the environment, landscape and amenity of the coastal edge, adequate protection of properties, developments and amenities from flooding and other potential short and long term impact or hazards, and a cost benefit analysis of the proposal, including inter alia a consideration of the long term operation and maintenance costs of the scheme.*
On the proposal of Comh O'Tuairisg and seconded by Comh Ni Fhatharta it was agreed to accept the recommendation in the Manager's Report

2.7 Issue 9 – Roads and Transportation

Submitted By:

- No. 1 – Annamarie McNally (NRA)
- No. 11 – Aidan Donnelly
- No. 12 – Seán Murray
- No. 19 – Pobal Bhearna Community Group

2.7.1 Sub-Issue 9A – Proposed GCOB/Park and Ride Facilities

Submitted By:

- No. 1 – Annamarie McNally (NRA)
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 1 – Annamarie McNally (NRA)

The submission notes that, with regard to Objective RT2 – Galway City Outer Bypass, the NRA would like to advise that there are no provisions for park and ride facilities in the scheme. Consultation should, therefore, be made with the NRA in respect of the provision of such a facility.

- No. 19 – Pobal Bhearna Community Group

The submission strongly supports Objective RT2 Galway City Outer Bypass on the basis that traffic congestion along the R336 in Bearna can only be improved when ‘through traffic’ is directed away from the village and Galway City via the GCOB and daily traffic management includes provision of a Park and Ride facility.

Response:

Objective RT2 is a Material Alteration/Amendment to the Draft LAP that has been made to ensure greater clarity in the LAP with regard to the development of the GCOB and the provision of adequate linkages from the Bearna area to the GCOB and surrounding areas. Objective RT2 states as follows:

Objective RT2 – Galway City Outer Bypass

Support the development of the GCOB as a means of improving the strategic road network and reducing traffic volumes and congestion in Bearna. This should be guided by the following:

- *An adequate corridor to be reserved for the future development of the GCOB and associated link roads.*
- *Provision to be made for adequate junctions between the existing regional and local road network in Bearna with the GCOB, as appropriate.*
- *Provision to be made for safe linkages across the GCOB to ensure that the Bearna Plan Area can be adequately connected to surrounding areas and amenities. This would primarily be along existing local roads and the greenway linkages identified in the LAP, through the provision of underpasses, overpasses or other junctions as appropriate.*
- *The type and location of major new developments in Bearna to consider the protection of the safety and operational efficiency of the GCOB.*

- *Consideration to be given to the provision of a park and ride facility at an appropriate point along or accessible to the GCOB to serve Bearna and the Conamara region providing access to Galway City.*

In the interests of clarity, it is suggested that a further bullet point be added regarding consultation with the NRA in respect of the GCOB and any associated developments such as a park and ride facility.

Recommendation:

Insert an additional bullet point at the end of Objective RT2 as follows (addition highlighted in bold blue text):

- *Consult with the NRA in the development of the GCOB and any relevant associated developments, such as the possible provision of a park and ride facility along or accessible to the GCOB.*

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

2.7.2 Sub-Issue 9B – New Village Street

Submitted By:

- No. 11 – Aidan Donnelly
- No. 12 – Seán Murray
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 19 – Pobal Bhearna Community Group

The submission notes that in Section 2.7.1 of the amended LAP that the words 'Village Street' is now to be replaced with the word "route", by the sweep of a pen destroying the street concept which is fundamental to the proper development of the village, while simultaneously creating a north south divide that will separate a substantial part of the Outer Village and Rural Fringe from the social and commercial centre of Bearna.

In eliminating the normal grid pattern that the existing north south roads facilitate, the Inner Relief Road will hinder rather than assist Bearna developing as a town. The closing of the two link roads will funnel all present and future traffic to a restricted junction at the Twelve Pins site with only one narrow footpath on the west side of the 6m wide road. The design of the Inner Relief Road is contrary to Objective RT1 – RT5 in the LAP and the submission strongly objects to the Inner Relief Road as designed and to this Material Alteration.

- No. 12 – Seán Murray

The submission also refers to the change on Page 65 of the LAP from "village street" to "route" and raises the following issues in this regard:

- In the County Manager's Report on the Part 8 application, Bearna Relief Road it is stated that "The Part 8 documentation indicates that the route will be a streetscape" (Fourteenth Response to Issue Number 2).
- The change from village street to route is in direct contravention to the description given in the Part 8 documentation, a Part 8 application that was passed by the Elected Members.
- The response from the Road Design Section to public submissions on the LAP stated that: "It is agreed it should be an aspiration to have the relief road/street and its approach road

traffic calmed". The safety aspects of the road should be subject to a proper plan now that the Part 8 has been approved, not an aspiration that is unclear and unspecified.

- The two issues taken together, route and aspiration, clearly indicates that priority is to be given to through traffic on the Inner Relief Road and the safety of Bearna residents is to be ignored.
- The submission strongly objects to the change in wording of "village street" to "route" as the road planning for each is different and priorities in relation to safety and traffic calming will be different.
- No. 11 – Aidan Donnelly

The submission also objects to the change in wording from "village street" to "route" and states that this street should be designed for a mix of uses, not be dominated by vehicles, to a high standard of design, and to include suitable traffic calming measures.

Response:

The amended LAP includes the following amendments under Section 2.7.1 to paragraphs describing the Inner Relief Road/New Village Street:

A new inner road has been planned for Bearna for many years and a section of this new village street route was recently constructed as part of a major housing development in the village centre. This new road proposal was adopted by the elected members of GCC on 23rd October 2006 as part of a Part 8 Planning Application. Further development of this route would assist in improving the quality of environment in the centre of the village and in improving traffic safety, circulation and management. It would also provide an opportunity to create a new spine street in the village with high quality residential, community and associated development. This street proposal was adopted by the elected members of GCC on 26th September 2006 as part of a Part 8 Planning Application.

Once completed, this route will help to relieve traffic congestion and improve public safety along the R336, enable pedestrian crossings to be provided at appropriate locations along the R336, create a new high quality residential street in the village, provide a location for the provision of additional community facilities and amenities, and provide a loop to facilitate the provision of much-needed public transport services, including bus services and potential light rail service if provided in the future.

The main purpose of the amendments in the first paragraph is to ensure that the information presented is clear and correct and in no way is it intended to represent a move away from the conception of the new route as a Village Street. This is clearly spelt out in the second paragraph above, in numerous other references in the LAP to this New Village Street and as specifically set out in Objective RT4 (Page 64), which states as follows:

Objective RT 4 – New Village Street

Support the implementation and completion of the proposed new Village Street north of the existing R336 with:

- *Appropriate junctions, traffic management and access to adjacent lands.*
- *A continuous pedestrian and cycling route, which may require widening of the existing constructed portion of street (this should be pursued with adjacent landowners), with pedestrian and cycling linkages to the R336 via the existing north-south roads of Aille Road and Avough/Paintbox Road.*

- *A public transport route and facilities with a potential bus loop using the R336 and new street, a public transport node with bus stop/shelter, local park and ride facility, public parking, etc.*
- *Appropriate associated uses including community facilities such as a primary school site and village square/park, local shop/s and higher density housing, subject to high standards of design and the approval of the Planning Authority.*

Previous comments from the Road Design Section outlined in the previous Manager's Report rejected the objections and concerns raised in relation to the new road and the Part 8 procedure undertaken and note that the road Part 8 decision always was for a street.

As previously recommended in the above Manager's Report, it is recommended that the Planning Section and Road Design Section work together on the design of the new street to ensure that it meets roads and traffic safety requirements whilst still achieving the high quality village street proposed in the LAP. This would need to be undertaken on an ongoing basis during and after the plan adoption process.

Recommendation:

It is recommended that the wording of the paragraph be amended slightly to ensure clarity (changes highlighted in bold blue text):

*A new inner road has been planned for Bearna for many years and a section of this new ~~village street~~ route was recently constructed as part of a major housing development in the village centre. **This new road proposal Part 8 Planning Application for the Bearna Relief Road was subsequently adopted by the elected members of GCC on 23rd October 2006 as part of a Part 8 Planning Application on the basis that it would be treated as a village street.***

*Further development of this route would assist in improving the quality of environment in the centre of the village and in improving traffic safety, circulation and management. It would also provide an opportunity to create a new ~~spine~~ street in the village with high quality residential, community and associated development. ~~This street proposal was adopted by the elected members of GCC on 26th September 2006 as part of a Part 8 Planning Application.~~ **On the proposal of Comh O'Tuairisg and seconded by Comh Ní Fhatharta it was agreed to accept the recommendation in the Manager's Report.***

2.8 Issue 10 – Services and Infrastructure

Submitted By:

- No. 5 – Denis Healy
- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

2.8.1 Sub-Issue 10A – Wastewater Disposal

Submitted By:

- No. 5 – Denis Healy
- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

Summary:

Submission No.'s 11 and 19 strongly object to the proposed material alteration that will allow developments that cannot be serviced by Phase 1 of the Bearna Sewerage Scheme to be serviced by on site wastewater systems. This is tantamount to sanctioning additional pollution of the, already highly polluted, natural water systems and streams in the Bearna area. GCC is statutorily obliged to prevent any further deterioration in the quality status of the waters and environment in Bearna and to ensure good water quality status by 2015.

Submission No. 5 argues that the wastewater disposal proposals in the LAP are inadequate to deal with the existing level of pollution in the local streams and waters in Bearna, that the allowance for on-site treatment systems will further exacerbate the problem, which is contrary to the statutory requirement to improve water quality by 2015 under the Water Framework Directive.

The Pobal Bhearna submission supports Objective IS3 – New Wastewater Treatment Facility for Bearna as ultimately sustainable development can only take place when the area is self-sufficient with respect to certain critical infrastructure and services.

Response:

The Infrastructure and Services Strategy set out under the Summary part of the Amended LAP includes the following material alteration;

Wastewater Disposal – Support the provision of increased public wastewater capacity to serve existing and future developments in Bearna. Bearna Sewerage Scheme (SS) Phase 1 will commence construction in 2007 and will serve the centre of Bearna village. As an interim measure, developments outside the catchment of that cannot be served by Phase 1 may be serviced by on site wastewater treatment systems, subject to adequate environmental protection measures, site layouts, future connection to the public sewer and appropriate decommissioning and reinstatement of lands.

The LAP has gone to considerable lengths to gather information regarding the water and environmental quality in Bearna and a number of policies, objectives (including Objective IS1, IS2, IS3, IS4 & IS5), standards and mitigation measures have been set out in the LAP to ensure that water and environmental quality issues are addressed. An SEA has also been undertaken to assess the likely and significant effects on the environment of implementing the provisions in the LAP. New on site wastewater systems will only be considered where they can be properly designed and constructed to high standards to ensure that water and

environmental qualities are not adversely affected and where significant community gain can be demonstrated.

Recommendation:

No change recommended.

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

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2.9 Issue 12 – Development Management and Implementation Guidelines

Submitted By:

- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

1.1.2 Sub-Issue 12A – Development Management and Implementation Guidelines

Submitted By:

- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 11 – Aidan Donnelly

The submission does not support the Development Management Guidelines and seeks significant amendments to provide better design, environmental, social and community outcomes. The Council and the LAP should be more inspirational in planning for Bearnna.

The submission does not support the Development Implementation Guidelines in the Amended LAP. These should be amended to provide greater certainty that the growth that is planned for Bearnna will be of high quality and that infrastructure and facilities will be adequate and available, the local economy will be sustained and the environment enhanced. The current guidelines will not facilitate this and do no more than is currently provided for in planning law and practice.

- No. 19 – Pobal Bhearna Community Group

The submission welcomes the insertion of the sections on Development Management Guidelines and Development Implementation Guidelines in the LAP Summary. However, the submission requests that recognition be given to current substantial amenity and social infrastructure deficits that exist in Bearnna at present.

Response:

The LAP adopts an innovative approach to land use planning and the delivery of community facilities and incorporates a wide range of best practice to ensure the delivery of a high quality environment and development in the village and the delivery of social and physical infrastructure. The Development Management Guidelines provide additional guidance on the range of policies and objectives contained in the LAP and will guide future decision-making and considerations of planning applications in the Bearnna Plan Area. The Development Implementation Guidelines incorporate a community gain scheme intended to deliver lands for community facilities and this forms one of the central components of the LAP.

There are numerous references in the LAP to the shortage of community facilities and amenities and/or the need for providing additional facilities to serve the growing population in Bearna, including Page i of the LAP Summary, Page 5 in Section 1.5, Page 29 in Section 2.5.1, Page 34 under Policy 2.5.2A, Page 137 in Section 4.2.1, etc.

Recommendation:

No change recommended.

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

2.9.2 Sub-Issue 12B – Contribution Scheme

Submitted By:

- No. 11 – Aidan Donnelly
- No. 19 – Pobal Bhearna Community Group

Summary:

- No. 11 – Aidan Donnelly

The submission does not support the Development Implementation Guidelines in the Amended LAP. These should be amended to provide greater certainty that the growth that is planned for Bearna will be of high quality and that infrastructure and facilities will be adequate and available, the local economy will be sustained and the environment enhanced. The current guidelines will not facilitate this and do no more than is currently provided for in planning law and practice.

- No. 19 – Pobal Bhearna Community Group

The submission strongly supports the material alterations outlined in Section 4.2.1 of the amended LAP with respect to the two main components of land contributions from future developments – an internal open space requirement for the provision of community facilities and amenities “which has typically been 10-15%” and a requirement for the provision of community facilities and amenities “which will generally range from 10-15%”. The submission strongly urges that these guidelines are stated as ‘absolute minimum requirements of 15%’ in both cases rather than the loose, inspirational terminology that is currently used in the amended LAP.

Response:

The contribution scheme outlined in Section 4.2.1 of the LAP has been structured to take account of the higher costs of land in the central areas of the village, the difficulty in acquiring lands in these areas for community facilities and the need to promote equity through the scheme. There is a need for a level of flexibility in the application of the scheme given that the size, shape, location, context, suitability for community facilities, etc. will vary from one proposal to another and given the need to ensure that sufficient flexibility is provided to allow for the optimum design solution and community gain element to be achieved in any particular site proposal.

Recommendation:

No change recommended.

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

Cllr Joyce stated that a promenade all along by the seafront would be good for tourism.

Ms. McConnell stated that there were objectives in the Bearna Plan supporting a promenade.

Mr. Ridge stated that a copy of a submission was handed into the Planning Office on the morning of the meeting, the original of which was handed in during the public display period but was not included in the Manager's Report. However the lands the subject of this submission were not the subject of any material alteration in the document that went on public display as "Draft Material Alterations and Amendments and therefore would not have been considered.

On the proposal of Cllr Kyne and seconded by Comh O'Tuairisg it was agreed to adopt the Draft Bearna Local Area Plan as amended above.

Mr. Ridge thanked the Members for their courage to run with this new approach to local area planning and added that it had tremendous potential. He also thanked Mr. Martens for the extensive amount of work that he put into this plan.

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

NOMINATION OF MEMBERS TO NEW LOCAL DEVELOPMENT COMPANIES.

1539

Report dated the 21st November, 2007 was already circulated to each Member.

Mr. Dawson outlined the process of representation by Council members on the respective new Local Development Companies as follows:

(a) Galway Rural Development

Three Council members to be nominated from the elected representatives from the Tuam, Ballinasloe, Loughrea and Oranmore Electoral areas.

First Vacancy

It was proposed by Cllr. Mc Donagh, seconded by Cllr. Mc Hugh and agreed that Cllr. Feeney be nominated to represent the Council on the Board of Galway Rural Development.

Second Vacancy

It was proposed by Cllr. Mc Donagh, seconded by Cllr. Mc Hugh and agreed that Cllr. Mullins be nominated to represent the Council on the Board of Galway Rural Development.

Third Vacancy

It was proposed by Comh. Ni Fhatharta, seconded by Cllr. Hoade and agreed that Cllr. Cuddy be nominated to represent the Council on the Board of Galway Rural Development.

(b) Forum Letterfrack.

Four Council members to be nominated from the Conamara Electoral Area.

First Vacancy

It was proposed by Cllr. Mc Donagh, seconded by Cllr. Mc Hugh and agreed that Cllr. Kyne be nominated on the Board of Forum (Letterfrack)

Second Vacancy

It was proposed by Cllr. Mc Donagh, seconded by Cllr. Mc Hugh and agreed that Comh O'Cuaig be nominated on the Board of Forum (Letterfrack)

Third Vacancy

It was proposed by Cllr. Joyce, seconded by Cllr. Reilly and agreed that Cllr. S. Walsh be nominated on the Board of Forum (Letterfrack)

Fourth Vacancy

It was proposed by Cllr. Regan and seconded by Cllr. S. Walsh that Cllr. Conneely be nominated on the Board of Forum (Letterfrack)

It was proposed by Comh O' Cuaig and seconded by Cllr. Kyne that Cllr. Welby be nominated on the Board of Forum (Letterfrack)

Cllr. Conneely withdrew and it was agreed that Cllr. Welby be nominated on the Board of Forum (Letterfrack). It was also agreed that Cllr. Conneely would replace Cllr. Welby on the Board after one year.

(c) Comhdhail Oileain na h-Eireann

One Council member to be nominated from the Conamara Electoral Area.

First Vacancy

It was proposed by Cllr. Mc Donagh and seconded by Cllr. D. Connolly that Comh. O' Cuaig be nominated on the Board of Comhdhail Oileain na h-Eireann.

It was proposed by Comh. Ni. Fhatharta and seconded by Cllr. Hoade that Comh O'Tuairisg be nominated on the Board of Comhdhail Oileain na h-Eireann.

Comh O'Tuairisg withdrew and it was agreed that Comh. O'Cuaig be nominated on the Board of Comhdhail Oileain na h-Eireann. It was also agreed that Comh. O'Tuairisg would replace Cllr. O'Cuaig on the Board after one year.

MAYORS BUSINESS

1540

Cllr. Feeney referred to the construction of the new N6 and said that local people were concerned at the amount of traffic generated by the roadworks and that there seemed to be no

traffic management plan in place. Mr. Morgan said that the contract was between the NRA and the contractor and that he had contacted the NRA in relation to this matter.

Comh Ni. Fhatharta asked what was the present situation regarding the site for Carraroe Sewerage Scheme and if Mr. Cullen was willing to meet people from Carraroe in relation to this matter. Mr. Cullen said that he would attend such a meeting in the New Year and the members for the area would be informed.

Cllr. Reilly referred to the lack of adequate signage at Marley Crossroads north of Tuam and asked for immediate action in relation to this matter.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 9 – COMH. NÍ FHATHARTA 1541

The following reply was given:-

“Is mian liom a chur in iúl go gcuirfear iarratas do maoiniú chun oibreacha sábháilteacht a dhéanamh ag an scoil seo chuig an Roinn Comhshaoil agus Rialtais Áitiúil.”

NOTICE OF MOTION NO 10 – COMH. NÍ FHATHARTA 1542

The following reply was given:-

“Is mian liom a chur in iúl go gcosnóidh sé timpeall €200,000 an droichead seo a leathnú. Déanfar fiosriúcháin faoi oibreacha a dhéanamh faoin Scéim Timpistí Costas Íseal idir dá linn, nó go mbeidh airgead ar fáil do príomh oibreacha sa todhchái.”

NOTICE OF MOTION NO 11 – COMH. C. NI FHATHARTA 1543

The following reply was given:-

“Is mian liom a chur in iúl go mbeidh bóthar ag na Doireadh mar pháirt den dearadh a dhéanfar don Bóthar nua ó Bearna go Scríob.”

NOTICE OF MOTION NO 12 – CLLR. D. CONNOLLY 1544

The following reply was given:-

“Derrymullen Road is in charge of Ballinasloe Town Council. Road widening works are currently being carried out at this location, however there are no immediate plans to carry out drainage works as part of the same in the current year. This matter has been brought to the attention of Mr. Uinsinn Finn (Town Engineer) so that consideration may be given to have this drainage work included as part of the 2008 Roads Program for Ballinasloe Town Council.”

NOTICE OF MOTION NO 13 – CLLR. D. CONNOLLY

1545

The following reply was given:-

“The Ballinasloe East Engineering Area has insufficient funds in the current year to undertake works at the Beeches, Kilconnell so as to improve sightlines.

Having inspected the said location a Community Involvement in Roadworks Scheme can be applied for if not already applied for, so that consideration can be given by Galway County Council to undertake this work in the future.”

NOTICE OF MOTION NO 14 – CLLR. D. CONNOLLY

1546

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 15 – CLLR. J. MCDONAGH

1547

The following reply was given:-

“This matter will be examined through the Council’s Partnership Process.”

NOTICE OF MOTION NO 16 – CLLR. J. MCDONAGH

1548

The following reply was given:-

“The road in question will be assessed with regards to Galway County Councils taking in charge policy and a report will issue to you in due course.”

NOTICE OF MOTION NO 17 – CLLR. J. MCDONAGH

1549

The following reply was given:-

"The present Scheme proposed for Baile Chláir is specifically for a QBC and Traffic Calming Scheme. It is not possible to consider a proposal outside of the agreed scheme. The right-turning lane at Tinkers Lane was previously considered by the NRA Safety Section and rejected."

NOTICE OF MOTION NO 18 – CLLR. P. HYNES

1550

The following reply was given:-

"There are no plans at present for the replacement of Oxgrove Bridge, Killimor due to budgetary constraints. This bridge has been included in the Council's submission to the Department of Transport, Non-National Roads Division for Grant Aid to carry out improvement works to the Bridge under the 2008 Roadworks Programme. We await developments in this regard. In the meantime it is proposed to carry out minor improvements to the road signage and road markings on the approach roads to the bridge, in the near future, as funding permits."

NOTICE OF MOTION NO 19 – CLLR. P. HYNES

1551

The following reply was given:-

"Realignment works are in progress at this location."

NOTICE OF MOTION NO 20 – COMH. S. Ó'TUAIRISG

1552

The following reply was given:-

"Ag Coláiste Lurgan agus Scoil Náisiúnta na Tulaigh Baile na hAbhann is mian liom a chur in iúl go bhfuil sé déanach an suíomh seo a bheith sa Scéim Feabhas ar Chostas Íseal do 2008 mar cuireadh í gcéim na hiarratas í Mí Méan Fómhair. Déanfar an suíomh seo a chur san áireamh don scéim í 2009.

Déanadh iarratas chun airgeadaí a fháil i 2008 ón Roinn Comhshaoil agus Rialtais Áitiúil don trasnán coisithe don Spidéal faoi an Scéim Feabhas ar Chostas Íseal. Caithfear fanacht ar cinneadh an Roinn."

NOTICE OF MOTION NO 21 – COMH. S. Ó'TUAIRISG

1553

The following reply was given:-

"Is mian liom a chur in iúl go bhfuil Comhairle Contae i dteagmháil leis an BSL faoi láthair chun meastachán a fháil ar chostas na soilse."

Criochnaigh an Cruinniu Ansin

Submitted, Approved & Signed

44
Seán Kearney

28th January 2008
Date

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF STATUTORY BUDGET MEETING OF
GALWAY COUNTY COUNCIL HELD AT ÁRAS AN
CHONTAE, PROSPECT HILL, GALWAY ON MONDAY 17TH
DECEMBER 2007.**

ILÁTHAIR:

CATHAOIRLEACH: Mayor Seán Canney

BAILL: Cllrs. W. Burke, M Carey, S Connaughton, J. Conneely, D. Connolly, M. Connolly, Comh. O’Cuaig, Cllrs. J. Cuddy, M Fahy, P. Feeney, M Hoade, P Hynes, J. Joyce, S Kyne, M Maher, T Mannion, J McDonagh, T McHugh, M. Mullins, Comh Ni Fhatharta, S O’Tuairisg, Cllrs. M. Regan, T. Reilly, S Walsh, T Walsh, T Welby, B. Willers.

OIFIGIH: Ms Martina Moloney, County Manager; Messrs F Dawson, F Gilmore, J Cullen, K Kelly, J Morgan, Directors of Services; Mr G Mullarkey, Head of Finance; Mr T Murphy, County Secretary; Messrs G Scully, D Barrett, A Comer, Senior Executive Officers; Mr M McGovern, Management Accountant; Messrs L Gavin, M Lavelle, Senior Engineers; Mr M O’Donnell, Ms M Jordan, Administrative Officers; Ms N Heffernan, Senior Staff Officer; Mr P Ó Neachtain, Irish Officer; Ms J Gibbons, Assistant Staff Officer

Thosaig an cruinniú leis an paidir.

BUDGET 2008

1528

The County Manager referred to the draft Budget for the year 2008 which had been circulated previously to each member of the Council. She stated that the general report and the reports of the Directors of Services, gave an overview of

Minutes of Budget Meeting held on 17th December 2007

the work of the Council, under each programme group for the year 2007 and proposals for 2008.

She said that all statutory requirements had been complied with and that consultation had taken place with the Corporate Policy Group. The Corporate Policy Group considered the preparation of the Draft Budget at its meeting held on 26th November 2007. She added that the Corporate Policy Group had been mindful of the need to adopt the draft Budget with or without amendment and to determine the annual rate of valuation to be levied while at the same time deciding on the competing requests for funding.

She indicated how decisions on the allocation of resources to various expenditure heads of the Draft Budget were taken in the context of the total projected income available for 2008, contractual demands, servicing of borrowings, payroll increases, rental demands and the relative demands on the various services. In arriving at a balanced Budget it has not been possible to meet all the financial requirements and it was felt that prioritisation had to be made in relation:

- 1) Water Services
- 2) Roads and Transportation Improvement Plan
- 3) Advancing the County Development Plan

(i) Water Services

The existing Water Services Investment Programme for County Galway is the second largest in Ireland and envisages expenditure in the coming years of almost €1/2bn. This infrastructure is essential for the delivery of a quality service including public health, preserving and enhancing the environment and accommodating growth and development. The Council is applying additional staff resources to this area in an effort to improve the operation and maintenance of our existing operations, provide appropriate interim solutions when required and advance the Water Services Investment Programme in a timely manner. The Council is committed to delivering on this €1/2bn investment in the coming years. Delivery will require the co-operation and support of the Department of the Environment and will have significant implications for the local resources as the Council will be required to raise a minimum of €87m locally for the capital investment. This must be financed through a combination of development contributions and the charging of the non-domestic customer. In addition the on-going costs of operation and maintenance will increase significantly in line with the delivery of new infrastructure and the requirement to meet more rigorous environmental standards. The budgetary strategy for 2008 shows a substantial increase in the provision for Programme Group 3, i.e. Water Services. As already outlined at a recent meeting the obligations arising from the implementation of the Water Framework Directive, new licensing obligations and more vigorous monitoring regimes in respect of water quality require investment in both the operation and maintenance systems throughout the County but also in the Capital Water Services Investment Programme. Priorities in relation to public health and

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environmental protection must be met, in addition to advancing capital investment. Sustainable management of water resources requires that we ensure that adequate quality supplies are available to sustain human health and maintain social and economic development, while minimising related environmental impacts. In an effort to address these issues the following actions are being implemented with the aid of increased financial resources in the Draft Budget.

- (i) Restructuring of the operation and maintenance function for existing schemes to improve management of facilities and quality of service.
- (ii) Additional resources applied to the implementation of the Water Services Investment Programme.
- (iii) Increased resources provided to meet the rigorous monitoring and licensing requirements.
- (iv) Increasing operational costs arising from capital investment in plants at Luimnagh and Headford.
- (v) Increased operational costs evidenced by outturn for 2007 which is significantly exceeding budget.
- (vi) Review of operations to improve efficiency where appropriate.
- (vii) Continued investment in the water conservation project to reduce unacceptable levels of leakage and unaccounted for water.
- (viii) Discussion with the Department of the Environment in order to improve work flow on the Water Services Investment Programme, together with a review of the €10,000 cap, which is of concern to Councillors and staff alike.

In order to finance the Water Services Investment Programme and meet our increased operational costs it has been necessary to increase the non-domestic water charges in line with the National Water Pricing Policy. One of the major areas showing significant growth in the net cost to the Council is the operation and maintenance of water and waste water facilities which is set to grow from a budgeted position in 2007 of €5.98M to €8.04M in 2008, an increase of €2.06M. To put this in context the proposed 5% increase in the Local Government Fund comes to €1.92M i.e. not even enough to cover the increased costs of water and waste water before considering any other activities that have to be financed. The costs associated with the operation and maintenance of our water and waste water facilities have been increasing significantly every year from a cost of €6,391,000 in 2004 to €11,479,000 in 2008. As a consequence of the increased costs outlined above and our requirement under the polluter pays legislation to recover the costs of providing the services our charges have also increased over the last number of years from €0.73 per m³ in 2004 to €1.50 per m³ in 2008. It should be noted that our budgeted consolidated charge for 2008 at €1.50 remains one of the lowest charges in the country.

In addition, in accordance with the Water Services Act 2007, Galway County Council will now be required to implement a system of licensing for group water schemes, for which the Council will introduce a charge.

The Draft Budget includes an income provision of €400,000 as an estimated

contribution from the Local Government Fund towards meeting the increased costs associated with the provision of water services to domestic consumers. It must be emphasised that if this contribution fails to materialise during 2008, there will be no option but to reduce budgeted expenditure in other budget headings. As outlined at the recent Council Meeting, compliance by the Council with the modern legislative framework governing functions, standards, obligations and practice in relation to planning, management and delivery of water and wastewater collection and treatment services will require a substantially increased resource in 2008 and following years, with implications for the quantum of resources available for other services. It is essential that the Local Government Fund allocations reflect these increased costs, in line with Government Policy.

(ii) Transport

The County Manager said that improvement to access infrastructure in the County is essential to ensure the County can develop in a sustainable manner and ensure its competitiveness as an area for investment. The level of resource being applied through Galway County Council under the current roads investment programme exceeds €2bn and will see the transformation of connectivity to the County. While much remains to be done throughout County Galway, delivery of this every ambitious programme will continue throughout 2008, with a focus on the following projects:

N6	Galway – Ballinasloe Galway City Outer Bypass
N18	Gort – Cusheen Oranmore – Gort
N17	Oranmore – Tuam Milltown – Claremorris
N59	Maigh Cuilinn Bypass
R336	Conamara Access Road

This very ambitious work programme of investment in the development of our national routes is in place, and will transform access to the County in the coming years. In addition, there is on-going need for investment and maintenance of the existing non-national routes. The Council will continue to invest in non-national routes, with financial assistance from the Department of Transport, An Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta and our own resources.

The Draft Budget includes provision of a 5% increase in the Council's contribution to non-national roads. While, an increase in excess of the 5% would have been desirable it could not be achieved in the context of increasing water services costs and other demands. Advancing the delivery of the Bearna to Screebe Route will be a key priority for opening up improved access to the West, with the aid of substantial funding from the Department of Transport.

In addition to the national roads programme and the non-national programme which the Council consistently addresses, there is a growing demand to service the burgeoning urban centres. Local Area Plans throughout the County have identified priorities for new routes to open up land for development or address traffic management issues. Examples include the Bearna Relief Road, Athenry Ring Road, Tuam Inner Relief Road, Claregalway Bypass. These projects are important to facilitate development in the growth centres and will require significant resources for their delivery. The availability of funding for these projects, in the absence of a road contribution in the Development Contribution Scheme will prove problematic and this issue will require a review in 2008.

(iii) County Development Plan

The third key priority for 2008 will be the advancement of the County Development Plan to fulfill the objective of balanced and sustainable development into the future. The Plan will need to focus on the area of building sustainable communities and supporting and encouraging economic development throughout the County. Harnessing the opportunity presented by the Oranmore – Athenry Economic Corridor, the Galway Gateway and facilitating appropriate job creation opportunities which arise throughout the County will be essential to the future progress of the County.

A clear focus on these areas in 2008, in addition to the many other valuable work programmes completed by the Council across the housing, social inclusion, community development and recreation headings will be crucial to a successful outcome in 2008. The County Manager said she looked forward to the continued support and engagement of Members and staff in the advancement of these programmes in the County.

Efficiency and Effectiveness

The delivery of the vast array of Council services with a limited resource base requires constant vigilance to ensure that the available resources are utilised in the most effective manner possible. This will continue in 2008 with strong emphasis on the following areas:-

Energy

Energy costs are a growing cost element for the Council and require monitoring to ensure value for money. The Draft Budget includes provision for the employment of a staff member to deal with energy management and public awareness. This will help to focus our work with the Galway Energy Agency Ltd. and the energy component of the Local Authorities Prevention Demonstration Project and also has the potential to exact savings.

Water Conservation

The level of unaccounted-for water in the County is at an unacceptably high level. Conservation of water supplies has an important role to play in the achievement of good water quality status required by the Water Framework Directive. Finding additional water supply capacity through leakage control and better supply system management is preferable to capital investment in new infrastructure. The water conservation study phase is substantially complete and it is intended to progress systematic leak detection and reduce unaccounted-for water in 2008. This will be supported by capital projects e.g. Tuam which will replace defective network, with consequent reduction in leakage.

Financial Management and Costing System

The Council is currently introducing a new costing model which will supplement existing financial systems and facilitate improved cost comparison and control. Details of this model will come before the Council in the New Year. The establishment of the Audit Committee will support and advise on financial reporting, internal controls, risk management and audit.

Resources

One of the priorities of the Council is to avail of any opportunities to work in partnership with other organisations to deliver on common goals and access additional external resources. Examples would include the relevant Government Departments, Fáilte Ireland, Local Development Companies, the Heritage Council etc. In 2008 it is the Council's intention to maximise funding from these sources.

In addition, in 2008 it is proposed to revisit the Development Contributions Scheme and any opportunities for innovative mechanisms of funding public infrastructure.

Fixed Price Contracts

The introduction of the new National Policy on fixed price contracts should contribute to better clarity and cost control of relevant projects.

New Initiatives

Social Inclusion Unit

The County Manager said that the Council has been approved by the Department for the establishment of a Social Inclusion Unit and the budget includes provision for the establishment of it, co-funded by the Department of the Environment. The purpose of the Unit is to improve awareness, policy development and service delivery in the area of social inclusion, and support the implementation of the Galway County Council Social Inclusion Strategy 2006-2009.

Business Response Unit

The Council endorsed an Economic Development Strategy for the County in 2007. The implementation of this Strategy in 2008 will require a focus on appropriate input to the County Development Plan, the support for Community Enterprise Development in association with Enterprise Ireland and the marketing of County Towns as appropriate locations for investment.

Tuam Hub Town

The town of Tuam has been designated as a Hub Town in accordance with the National Spatial Strategy. A recent review of Hub Towns 'Development Issues and Challenges' by the Department of Environment recommended the establishment of a Hub Development Committee to prepare an implementation programme for the Hub. It is proposed to establish a Hub Development Committee to develop a focused inter-agency plan for the development of Tuam as a hub town in order to drive the co-ordinated and enhanced development of the town.

Local Sports Partnership

The Council has received approval from the Irish Sports Council for the establishment of a Local Sports Partnership. This partnership will help to co-ordinate activities in relation to sport development in the County. It will facilitate joint working between the Council and other relevant organisations, both state and community. The Draft Budget includes provision to support this work, with financial support from the Irish Sports Council, Udaras na Gaeltachta and other partners.

The Council has been approached by the GAA with a view to developing a joint initiative for the employment of a development officer. The aim of the proposal is to use sport as a vehicle to tackle social inclusion and integration issues. It is hoped to progress this initiative in 2008, subject to further discussions with the GAA.

Working with Communities

The County Manager said she was heartened by the commitment and dedication of local communities who are to be complimented for their determination in improving the quality of life in their areas through a range of voluntary activities. The Council provides a range of supports to these communities. In 2008, it is proposed to introduce an initiative to support the input and performances of communities who are involved in the National Tidy Towns Competition. This will require co-ordination of activities across a range of staff e.g. Environment, area offices, heritage, planning, conservation and community. She said that the Council aim to improve the performance of County Galway in the National Tidy Towns Competition.

RESOURCES AVAILABLE TO MEET 2008 REVENUE EXPENDITURE

The County Manager advised that in framing the annual spending proposals, regard must be had to the income available for the year. Details of the more significant elements of 2008 resources and proposals are as follows: -

1. Local Government Fund

(A) The annual allocation to the Council, by the Department of the Environment, Heritage and Local Government (DoEHLG), from this Fund, is the single most significant element of Revenue Income available, representing over 25% of the total revenue Budget for 2008. Details of the 2008 allocation have not yet been advised and are expected shortly. In preparing this Budget a 5% increase on the 2007 allocation is assumed and this delivers an expected income of € 40,415,200.

In addition the County Manager said she has included a special contribution as already referenced in respect of the Exchequer contribution to meeting the increasing costs of the domestic water sector of €400,000.

2. County Rates

The Annual Rate is determined by the Council, as an integral part of the statutory budget process.

The total County valuation on which rates will be levied for 2008, amounts to 323,100 an increase of 22,000 on the 2007 figure, and in fact, shows an 80% increase in the commercial base since 2000.

This increase is a clear indicator of the economic development and progression in the County. While income from County Rates is a vitally important element for the Council, representing 12% of total revenue income, the Council has consistently, over the years, endeavoured to maintain rate increases, to the minimum level necessary, to support and maintain services essential for economic progress. While it remains necessary to build on the yield from rates income in order to underpin the investment in economic infrastructure currently under way in the county, and to match the increase in income from the Local Government Fund, the County Manager emphasised that she had made a particular effort in preparing this Draft Budget to minimise the proposed rate increase.

In this context the proposed rate on valuation for 2008 is 65.61, an increase of 4.79% on the 2007 rate. This rate generates income of €21,198,591, and includes an amount of €1,443,420 resulting from additional valuations and €903,300 representing a 4.79% increase on 2007 rates. The proposed increase reflects the current rate of inflation and is the minimum necessary in order to maintain existing services. Each 1% increase in the rate multiplier amounts to €203,553.

She referred to Appendix 3 showing the relevant levels of the 2007 rate for County Galway, compared with all other County Councils noting that the rate level in counties of similar topography and area is considerably higher than the Galway rate.

She drew the Councillors attention to the summary of available income sources for 2008 with comparative figures for 2007 as set out on page 10 of the report circulated. She noted that she was awaiting formal notification from the Department of the Local Government Fund allocation for Galway County Council.

The County Manager said that the proposal presented demonstrates the Council's commitment to delivering the best possible range of services across all programme groups and focuses on the key priorities for 2008. The proposed gross expenditure of €160M represents a 5.8% increase on 2007 expenditure and together with a proposed 2008 Capital spend of €382M represents a considerable investment of public monies in the development of County Galway, and in meeting the needs of its people. She noted that the capital expenditure was dependent on the allocations which were yet to be notified by the Department.

The Council, its members and staff, continue to adapt and change to meet the challenge of developing the County and providing services to a growing population. Improvements in staff productivity and flexibility, and organisational modernisation, have been publicly verified as provided for under Sustaining Progress and Towards 2016 Centralised Partnership Agreement. A wide range of additional work is being undertaken throughout the county in improving infrastructure and services in areas as diverse as roads, water, amenity and recreation, arts, culture, environment, housing and community development. The role of the Council in planning for, investing in and promoting the development of the County is crucial and will remain strong into the future. The investment of more than €2.5bn in the coming years on both water services and roads infrastructure is pivotal to ensuring the future sustainability of the County.

The County Manager thanked the elected members and staff of the Council for their support since her appointment as County Manager. She expressed her appreciation to the Mayor, Cllr. Sean Canney, for his commitment to the special responsibilities of the office of Mayor, and for his courtesy and co-operation in doing the business of the Council. She also acknowledged the assistance of the Corporate Policy Group in deliberating on the Draft Budget prior to its presentation to Council.

She also expressed her thanks to the Council's Directors of Services, and all Council staff, for their continued support and commitment. She thanked the Head of Finance, Mr. Ger Mullarkey and the Finance staff for their work in drafting the Budget for 2008, and An tUas Páid Ó Neachtain (Oifigeach Forbartha na Gaeilge) for helping to make this report available in both official languages.

She concluded her report by recommending to the Council the adoption of the Draft Budget as presented.

Minutes of Budget Meeting held on 17th December 2007

The following views and comments were expressed by the Members in relation to the Draft Budget:

The Mayor thanked the Manager, the staff of the Council and the members of the Corporate Policy Group on their work in producing the Draft Budget which he described as a clear document. He referred to Graveyards throughout the County which needed to be extended, and said that additional lands would need to be bought to facilitate this. He invited comments from the members on the proposed Budget, as presented.

Cllr Burke noted that the estimated expenditure in the Roads Programme for 2007 was €66million but that the actual expenditure was €62million. He queried if that meant that €4million had been returned to the Department. Mr Morgan advised that at the date of preparing the budget the actual allocations from the Department are not available but are based on a best estimate. When the actual allocations from the Department were advised in 2007 they were €4 million lower than had been anticipated and that was the amount that was actually spent.

Cllr Burke requested that the staffing costs be specified within the Budget – how much of the total budget was spent on staffing costs and how many staff were employed by the Council. Mr Kelly said that the Council had 1,400 staff members, with approximately 1,100 full-time posts. He said that there was approximately 300 staff working in the areas but that this did not account for all outdoor workers.

Cllr Burke asked how much had been paid by the Council to consultants in 2007. Mr Mullarkey said that he would provide this information at a later date as he did not have the figure to hand.

Cllr Burke referred to the Capital Budget which was estimated at €289 in 2007, but actual outturn was €201million and said that it should be made clear that the estimate provided is aspirational. The County Manager said that the budget for the Capital programme was compiled as the best estimate available at the time, as it was dependent on the funding provided by the Department.

Cllr Burke queried if the figure of 1,643 on the Housing waiting list was accurate as it would mean an applicant would have to wait over 5 years for a house in this instance. The County Manager said that a new Assessment of Housing Needs would be carried out in 2008 and that it would indicate the accurate figure of those on the Housing waiting list. Mr Gilmore confirmed that the Assessment would be completed by the end of March 2008.

Cllr. Joyce welcomed the proposed major developments in water and sewerage in 2008. He referred to the proposal to include the provision of Roads under the Development Contribution Scheme in 2008 and said that a "Luas" type facility should be provided from Oranmore to Spiddal.

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He also welcomed the appointment of a staff member to deal with energy management on behalf of the Council. He said that this appointee should compile information on energy efficiency grants available to the Council.

Cllr Joyce suggested that the Council should be providing more 2 bedroomed accommodation to facilitate one parent families.

Cllr McDonagh complimented the Corporate Policy Group on the preparation of the budget but said that again it was a case of working in the dark as grants had not yet been allocated by the various Departments.

He welcomed the additional allocation of Notice of Motion monies which would allow Councillors to provide money for small country roads.

He also welcomed the commitment to the provision of improved water services. He referred to the issuing of Water Charges to schools and said that the matter would have to be resolved at national level.

Cllr Mullins referred to the proposed increases in water and waste water charges and said that they would affect the business and farming communities.

He welcomed the investment in National Roads and said that significant investment is required to improve the standard of Non-National Roads.

He noted that the proposed increase in rates, at 4.79%, is based on inflation and does not take into consideration the ability to pay. He would like to see future rate increases reflecting the ability of businesses to pay.

He requested that a review be carried out on the division of the cost of providing the Fire Service within the City and County, so that the charge to the City would reflect the actual cost involved. Mr Cullen said that discussions were ongoing with the City Council regarding the break-down of the cost involved in providing a Fire Service.

Cllr. Mc Hugh asked what was the exact cost of the payroll of the Council. He said that when payroll costs were deducted from the Budget the money available to carry out works was quite small. Mr Mullarkey confirmed that the annual payroll budget for the Council was between €48 and €50million.

Cllr McHugh referred to the proposal to establish a Hub Town Committee for Tuam and said that Tuam required a bypass, rail line, broadband and a health service for it to be an effective Hub Town. The County Manager said that the aim of the Committee was to drive development projects forward to ensure they get implemented.

Cllr McHugh said that the Capital Budget needed constant monitoring to ensure that the allocation was spent efficiently.

Minutes of Budget Meeting held on 17th December 2007

Cllr. Cuddy referred to the ongoing problem of water quality and pollution. He said that a lot of businesses had been affected by the Cryptosporidium crisis but that no provision had been made for compensation.

He asked if the County Council had the authority to reduce water metering charges for schools and sports clubs.

With reference to the total Development Contributions collected in 2007, €24.5million, he asked for a breakdown of amount collected by Electoral Area. The County Manager said that there would be a review of the current Development Contribution Scheme in 2008.

Cllr Cuddy asked why there was a reduction in the allocation for invasive species budget, at a time when this was becoming an increasing problem.

D'iarr an Comh Ó Cuaig cé mhéad den airgead don bóthar ó Bearna to Scriob a caitheadh i 2007. Mr Morgan said that €100,000 had been spent on surveying work on this route in 2007 and that the other funding allocated in 2007 would be carried forward to 2008.

Mar gheall ar tithíocht chuir sé ceist cén fáth a raibh na Ti i gCarna faoin scéim Affordable Housing chomh daor ag €190,000. Mr Gilmore said that the cost of Affordable Housing was related to the cost of provision minus the Departmental grants and that the houses in Carna were more expensive to provide due to the difficulties with the terrain.

Labhair Comh Ó Cuaig faoin Scéim Céibheanna agus dúirt sé go raibh easpa foirme chun an obair a dhéanamh. Dúirt sé go raibh an obair ar Ard Thoir, mar shampla, ag dul ar aghaidh ar feadh blianta fada. Mr Morgan said that consultants had been appointed to progress the work on Ard Thoir Pier and they had to ensure that all standards were met. He said that there were difficulties with employing suitably qualified and experienced staff to progress the Small Piers programme.

D'iarr Comh Ó Cuaig tuille eolas ar an Áit Áthchursála atá le bheith ar fail i gCarna. Mr Cullen said that no site had yet been acquired for the Recycling Centre but that discussions were ongoing with Údarás na Gaeltachta. He said that more information would be available on this in the New Year.

Dúirt Comh Ó Cuaig go mba cheart go mbeadh níos mó seirbhísí cuirthe ar fail san oifig sa gCeathrú Rua.

Comh Ó Tuairisg noted that contractors would not be on site until February for the provision of a water scheme at Leenane and Letterfrack and hoped that there would be no further delays. Mr Cullen confirmed that construction would commence in February 2008.

Comh Ó Tuairisg said that the Council needed to be active in dealing with the zebra mussel infestation in Lough Corrib, as the water quality was deteriorating because of it.

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Cllr. Reilly welcomed the development of the Council offices in Tuam and requested that Motor Tax and Planning facilities be made available there. Mr Kelly said that much work was being done to establish what services could be provided in the Regional offices and what facilities needed to be put in place to provide them. He said that there would be increased service delivery in these offices.

Chuir Comh Ní Fhatharta fáilte roimh an mBuiséad agus dúirt sí go ndearna an CPG go leor plé leis agus go déanadh iarracht gach duine a shásadh leis.

Cllr Willers requested that the Farm Improvement Scheme be reintroduced which would encourage the saving of waste water. She asked the Environment Section to liaise with the Department regarding this matter.

She referred to the difficulties with obtaining temporary fire personnel. Mr Cullen said that there was an ongoing recruitment programme for Retained Firefighters and that it was being successfully managed at the moment.

In response to a query from Cllr Willers Mr Cullen said no funding was being made available in 2008 for the provision of a public convenience in Gort town.

Cllr. Willers called for Motor Tax facilities to be provided in the new Civic Offices in Loughrea.

Cllr Hoade asked what the Council was paying in Rent for temporary office accommodation and if any proposals were in place for an extension. The County Manager said that the rollout of Regional offices was currently a priority for the Council and that the funding for an extension could not be made available at the same time.

Cllr. Hoade asked if the number of applications listed for Term Time by staff was correct. Mr Kelly said that the number of staff who had taken up the Term Time scheme in 2007 was correct. He stated that all family friendly policies are accommodated as much as possible by the Council.

Cllr Welby said that the ongoing operational costs for Design, Build and Operate projects were too high. He suggested that other options could be looked at to minimise these costs, such as leaving these costs with the company providing the facilities. The County Manager said that the tender system currently in place for the introduction of DBOs was open, competitive and ensured value for money. She said that the difficulty with rising running costs is that historically, due to the lack of available funding, there had been an under investment in water and waste water schemes. Mr Cullen confirmed that the Council were now dealing with a catch-up situation as regards investment in water schemes and that regulation was driving the standards.

Cllr Welby requested that a proposal for the provision of a Fire Service on the Islands be addressed at the next Islands Committee meeting.

Minutes of Budget Meeting held on 17th December 2007

He referred to the increased cost of Rates and said that Rate payers were getting no return for their contribution. He asked, if the Council got an increase in the Local Government Fund above the estimated 5%, where it would be allocated. The County Manager suggested that any increase could be allocated towards Disabled Persons Grants, with the approval of the members.

Cllr Feeney said that he was uncomfortable with the large increase in Water Charges, considering that the water was undrinkable for a substantial part of the year. He noted that in the marginal business of agriculture the cost of water made it difficult to remain sustainable. The County Manager noted the concerns at the increase in water charges but advised that under the Water Pricing Policy Directive the Council were obliged to recover the costs of supplying these services.

Cllr Feeney referred to Social Housing and asked that its provision was spread across the County, with particular reference to the housing provided under Part V.

He proposed that the Council provide two long term car parks in Athenry immediately which would provide a steady stream of income. Mr Morgan advised that agreements were currently being drawn up and signed in conjunction with the relevant landowners to provide for these car parks.

Cllr Feeney reiterated the request to provide a breakdown of the Development Contributions collected by area. He also enquired as to what amenity lands it was proposed to purchase in 2008. Mr Kelly said that 54 submissions had been received for Recreational and Amenity projects and that it was proposed to co-finance up to 40 projects in 2008.

Cllr Kyne enquired where the funding for the proposed Capital expenditure of €20million, as detailed on page 82 of the Budget document, on water and sewerage schemes to commence in 2008, was coming from. He said that the Department should provide all funding for Capital Schemes.

Cllr T Walsh expressed concerns that all businesses in the County were being treated the same as regards rates even though the prosperity of all was not the same. He said that no consideration was given to difficulties faced in farming due to rising costs.

He asked for an update on the situation with the proposed development of the Glenamaddy Sewerage Scheme and the Dunmore/Kilkerrin scheme. Mr Cullen said that he had written to the Department requesting approval to proceed with the construction stage of the Dunmore/Kilkerrin scheme. With regard to the Glenamaddy Sewerage Scheme he said that a brief had been prepared for the appointment of consultants and that advertisements would issue shortly.

Cllr Carey expressed his disappointment at the absence of funding for the Claregalway Bypass and the Tuam Inner-Relief Road. He said that the houses to be provided under the Social Housing Scheme in 2008 should be fairly distributed across the County.

Cllr Connaughton said the burden being placed on schools to pay for increased water charges was unacceptable and a system should be established to deal with it.

She proposed that the Council campaign to get Tuam included in the next rollout of broadband. Mr Dawson said that he would circulate the outcome of a survey carried out by the Community and Enterprise Section on the availability of broadband.

Cllr Connaughton asked that the Council put extra traffic calming measures in place at schools, with particular reference to Moylough and Mountbellew, as flashing lights and increased signage are not effective. Mr Morgan said that the Council staff is looking at providing additional traffic calming measures at Moylough. With reference to the provision of a pedestrian crossing at Mountbellew he said that the equipment had been purchased and the project would be progressed as soon as possible.

Cllr Hynes requested that the Council expedite the introduction of the Loughrea Water Supply Scheme.

He asked that a suitable site be identified in Loughrea for the provision of a Fire Station as soon as possible. Mr Cullen said that the Environment section was continuing to search for a suitable site in Loughrea.

AMENDMENT TO DRAFT BUDGET

1529

It was proposed by Cllr Mullins, seconded by Cllr Hoade and agreed to amend the draft budget as follows -

- 1) A reduction in the allocation to Programme Group 2.1 of €125,250 and a subsequent increase in the allocation to Programme Group 2.2 of €125,250.
- 2) A reduction in the allocation to Programme Group 8.8 of €7,500 and a subsequent increase in the allocation to Programme Group 8.11 of €7,500

ADOPTION OF BUDGET 2008

1530

It was proposed by Cllr Mullins and seconded by Comh Ní Fhatharta:

“That Galway County Council hereby adopt the draft Budget, as amended, for the Financial year ending 31/12/2008”.

The motion was passed unanimously and the Mayor declared the resolution carried.

DETERMINATION OF THE ANNUAL RATE ON VALUATION FOR 2008

1531

It was proposed by Cllr Mullins and seconded by Comh Ní Fhatharta:

“That Galway County Council hereby determine in accordance with the Budget for the Financial Year ending 31/12/2008, the Rates as set out in Table B and C, as amended, to be the Rates on Valuation to be levied for the several purposes as set out in those Tables for the Financial Year Ending 31/12/2008”.

The motion was passed unanimously and the Mayor declared Cllr Mullins' proposal carried and declared that the Rate on Valuation for the various purposes specified in the Budget for the Financial Year ending 31/12/2008 had been determined by the Council.

ESTIMATED EXPENDITURE AND INCOME OUTTURN FOR 2007

1532

On the proposal of Cllr Mullins and seconded by Cllr Mannion the Council noted and approved the estimated expenditure and outturn figures for 2007 as set out in the Budget documentation.

CRÍOCHNAIGH AN CRUINIÚ ANSIN

Submitted, Approved & Signed

Seán Lannan

28th January 2008

Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 3rd DECEMBER 2007.

CATHAOIRLEACH:

Cllr. S. Canney

ILATHAIR FREISIN:

Baill:

Cllrs. M Carey, S Connaughton, J. Conneely, D. Connolly, M. Connolly, Cllrs: J. Cuddy, M Fahy, P. Feeney, M Hoade, P Hynes, J. Joyce, S Kyne, M Maher, T Mannion, J McDonagh, T McHugh, M. Mullins, Comh Ni Fhatharta, S O'Tuairisg, Cllrs. M. Regan, T. Reilly, S Walsh, T Walsh, T Welby, B. Willers.

Oifigigh:

Ms. M Moloney, County Manager; Messrs. J. Cullen, P. Ridge, K Kelly, J Morgan, F Gilmore, F Dawson, Directors of Service; G Mullarkey, Head Of Finance, M. Lavelle, L Gavin, MI Dolly, Senior Engineers; T. Murphy, County Secretary; D. Barrett, A. Comer, G Scully, Senior Executive Officers; M O'Donnell Administrative Officer, P. O'Neachtain, Oifigeach Gaeilge; J Keane, Staff Officer. Oriana O'Connor, Eilis Farrell Clerical Officers.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1523

A Resolution of sympathy was extended to the following:

Mr. Tommie Varden, The Golf Club, Oranmore, Co. Galway
Mr. & Mrs. Jack Gardiner, Drim, Kylebrack, Loughrea, Co. Galway
Mr. Peter Dolan, Kilclooney, Ballinasloe, Co. Galway
Ms. Pauline Coyne & Family, Mullaghmore, Moylough, Co. Galway
Mr. Robert Canavan & Family, Marley, Tuam, Co. Galway

BUDGET MEETING 2008

1524

It was agreed that the Budget Meeting would be held at 1.30pm on 17th December 2007 and that the Monthly Meeting of the Council would take place at 2.30pm or at the conclusion of the Budget Meeting or at such other time as the Council decide.

TO CONSIDER BUDGET OUTTURNS 2007

1525

Report dated 3rd December 2007 was already circulated to the Members.

Mr. Mullarkey gave a detailed presentation of the expected outturn for 2007 as compared with the Budget as adopted by the Council in December 2006. He said that although there was over-expenditure on the operation and maintenance of the Council's water and wastewater facilities there were savings on other program groups which would see the Council achieve a break-even situation for the 2007 financial year i.e. that projected expenditure would be matched by a corresponding level of income.

The Mayor thanked Mr. Mullarkey for his presentation. In reply to the Mayor, Mr. Dawson said that the €3.2M expenditure on broadband was the Council's contribution towards the installation of broadband in five towns throughout the County this year. Cllr. McHugh said that it was useful for the Council to review how it was operating in relation to the adopted Budget and also if Value for Money was being achieved. He asked if all the Capital Money allocated had been spent during the year. He queried the role of the Council in administering the Higher Education Grants Scheme and also the VEC Pension Scheme.

Cllr. Welby noted that there were projected savings in the provision of the Fire Service and asked whether there were any proposals for improving the service on the Islands as had been discussed at the Budget Meeting in December 2006. In relation to the volumetric metering of water he asked if the decrease in usage was due to leakages. He also asked if the Council was recouping the cost of the Cryptosporidium crisis from the Department. Cllr. Welby also referred to the Capital Budget and pointed out that the expenditure for the year was much less than what had been budgeted. Cllr. Mullins queried the apparent under-spend in the Capital Budget and asked what impact the cap on recoupment was having on the ability of the Council to carry out Capital Works. He also queried the amount spent on demountable dwellings.

Cllr. Joyce proposed that a person or group be appointed to monitor and research all EU funding that may be available to the Council. He referred to the fact that there had been savings on public lighting and he suggested that this was caused by the difficulty in getting lights installed. Cllr. Mannion referred to the increased costs relating to the operation and maintenance of water services infrastructure and queried the implications for future years relating to the additional facilities now being constructed.

Cllr. McDonagh expressed his dissatisfaction in relation to the provision of public lighting and proposed that the policy in relation to this be brought back before the Council. Cllr. M. Connolly said that public lighting should be provided for the benefit of the Commercial Sector who were the rate payers in the County. Cllr. Kyne requested information in relation to

Minutes of Special Meeting held on 3rd December 2007

the expenditure on broadband. He also asked what amount was being spent in relation to the WRBD and what were the Council getting for their investment.

Cllr. Cuddy referred to the cost of providing the Fire Service and suggested that the City Council should take over the cost of operating the service in the City. He also asked for an update on the Development Contribution Scheme. Cllr. Hynes requested information in relation to the proposed swimming pool in Loughrea.

The Mayor thanked the Members for their contributions to the discussion and invited the Manager and the respective Directors of Service to comment on the points raised.

The County Manager said that Value for Money was constantly being assessed by the Council and that the Council is constantly investigating cost saving measures. In relation to the Capital Budget she said that it is the best estimate in relation to proposed capital works at the time it was being put together and that it depends on the timing and delivery of the Capital Projects.

The County Manager said that the administration of the Higher Education Grants Scheme being taken over by the VEC was being discussed nationally, but there was no proposal to have VEC pensions removed from Local Authorities.

She said that there were 1150 whole time equivalent employees and that 85 of these were employed on Capital projects. She said that approval had been received from the Department for additional staff in the Water Service Section.

The County Manager said that a report on development contributions would form part of her report for the 2008 Budget. She explained that the under spend on the Fire Service was demand-led and that the out turn is only estimated at this point.

Mr. Gilmore said that the Council no longer installs demountable dwellings and that these have been replaced by pre fabricated units. He said that the Council had advertised for the removal of the old demountables to start in 2008 and this would take two to three years to complete.

Mr. Morgan said that the under spend on the Roads Capital Budget was attributable to the Major Inter Urban routes. He said the land owners had not completed proof of ownership in many cases and this contributed to the €45m under spend.

In relation to the Kilronan Pier Development he said that it was hoped to sign the contract in the next few weeks.

He said that a revised public lighting scheme would have to go back to the Strategic Policy Committee for consideration.

He said that much of the delays in relation to Public lighting were due to the ESB not carrying out the required work and that the Council had meetings with them but there was still little progress.

Minutes of Special Meeting held on 3rd December 2007

He said that in relation to the Councils contribution to non national roads that this depends on the money available at any one time. He said that the Department have queried the Councils' contribution and that this should be noted by the elected members in the context of any new development contribution scheme.

Mr. Cullen said that there was a request at last years meeting in relation to a Fire Service for Inis Boffin and that a plan has been developed for emergency arrangements for the Island. He said this will be coming before the next meeting of the Islands Committee.

In relation to the Volumetric Water readings he said that the difference in the projected amount for non domestic users is that all meters were not installed at the time of last years Budget and therefore some of the metered figures were estimates. He said that all non domestic users have now had meters installed.

He stated that in relation to the water crisis there will be huge additional costs in maintenance and treatment at the Luimnagh Plant. A claim for recoupment of the costs relating to the Cryptosporidium crisis had been sent to the Department and a reply is awaited.

He said that the level of funding required for the operation and maintenance costs of Water & Sewerage schemes would increase dramatically next year as result of new EU Regulations being implemented. There will also be a number of new schemes coming on stream such as Carna and Headford. He said that these increases in maintenance costs will not impact on the provision of new schemes.

He said there was no precise figure for the cost of monitoring sludge in East Galway but that the figure would be a salary cost of approximately fifteen to twenty thousand euros.

He stated that a detailed presentation in relation to the Western River Basin District would be made to the elected members following the public consultation process which is due to be completed at the end of December.

He said that the breakdown between the City and County for the cost of the fire Service was not available at this time. He said the cost is based on a shared services agreement which is in place between Galway City Council and Galway County Council.

In relation to EU funding opportunities, Mr. Dawson said the Council and the other Gaeltacht Local authorities are members of NASC and the Councils contributes towards the cost of a staff member being located in Brussels and Mr. Brian Barrett Community and Enterprise Development Officer is the Council's Liaison Officer in relation to this matter.

He stated that the expenditure on Broadband was in respect of the completion of the fibre brand network in five towns across the County. This involves the provision of the physical broadband network for Industries in these towns. These networks will be managed by a nationally appointed company. He said that spending on this is 90% recouped from the Dept of Communications, Marine and Natural Resources.

He said that the Council had no physical role in domestic broadband provision and that this is matter for Eircom and other private providers.

Cllr MI Connolly said that when new projects such as Roads and Railway are being constructed that the ducting for broadband should be provided. He said that the maximum aid should be given to broadband service providers in rural areas and that there are many instances of successful groupings.

Mr. Kelly said that the Council has provided for the maintenance and repairs in Loughrea and Athenry playgrounds.

He said that the Council would be notifying members of six additional playgrounds that would be going ahead and that this would bring the total up to forty to be provided/aided.

In relation to Loughrea Swimming Pool, Mr. Kelly said that a number of issues had arisen in relation to various legal documents that had to be prepared and entered into by some or all of Galway County Council, the Developer and DAST and that proposals from Galway County Council in this regard were currently being considered by DAST.

Cllr Welby wanted to know what was situation in relation to the re-allocation of the funding for the N59 at Derrylea. Mr. Morgan said that some of the funding had been transferred to other areas because the National Roads Authority had changed the contract documents and had now decided to re-tender under the new Department of Finance guidelines.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.61 HECTARES OF LAND AT COURSE ROAD, CASTLEBLAKENEY, CO GALWAY

1526

Report dated 1st November 2007 was already circulated to the members.

On the proposal of Cllr D Connolly, seconded by Cllr M Connolly, the disposal of 0.61 hectares of land at Course road, Castleblakeney, Co Galway, was approved.

ESTABLISHMENT OF AUDIT COMMITTEE IN ACCORDANCE WITH THE LOCAL GOVERNMENT (BUSINESS IMPROVEMENT DISTRICTS) ACT 2006. 1527

Report dated 23rd November 2007 was already circulated to the members

On the proposal of Cllr Mullins and seconded by Cllr Mannion, the Audit Committee comprising of three external member nominated by the County Manager and two members nominated by the Council, was agreed. Mr. Kelly said that the Managers nominees were as follows;

Ms. Hannah Kiely, HC Financial Services, Oranmore Business Park, Galway

Mr. Brian Flynn, Moyliss House, Threadneedle Road, Salthill, Galway

Mr. P.J. Mc Govern, Carnmore, Oranmore, Co. Galway.

It was proposed by Cllr. Mc Donagh, seconded by Cllr. Mannion and agreed to accept the Managers nominees as members of the Audit Committee.

Minutes of Special Meeting held on 3rd December 2007

It was proposed by Cllr McDonagh, seconded by Cllr Mullins, and agreed, that Cllr McHugh be a member of the Audit Committee.

It was proposed by Cllr Mannion, seconded by Cllr Hoade, and agreed, that Cllr S Walsh be a member of the Audit Committee.

The County Manager said that a letter had been received from Mr. William Henry thanking all involved for their support in organising the Remembrance Service held recently for those soldiers and sailors from Galway who died in World War 1.

Criochnaigh and Cruinniú Ansin.

Submitted, Approved & Signed

Seán Bauney

28th January 2008

DATE