

CHOMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 28th
SEPTEMBER, 2009.**

CATHAOIRLEACH:

Cllr. T. McHugh

I LATHAIR FREISIN:

Baill:

Cllrs T Broderick, S. Canney, L. Carroll,
P. Connaughton, D. Connolly, M.
Connolly, Comh S. Ó Cuaig, Cllrs. J.
Cuddy, Comh T. Ó Curraoin, Cllrs. M.
Fahy, P. Feeney, G. Finnerty, M. Hoade,
P. Hynes, C. Keaveny, S. Kyne, M.
Maher, E. Mannion, T. Mannion, J.
McClearn, J. McDonagh, M. Mullins, M.
Noone, P. Roche, Comh S. Ó Tuairisg,
Cllrs. S. Walsh, T. Walsh, T. Welby, B.
Willers.

Oifigigh:

Ms. M. Moloney, County Manager;
Messrs. J. Cullen, K. Kelly, F. Gilmore,
J. Morgan, Directors of Service; G.
Mullarkey, Head of Finance; M. Dolly, J.
Eising, M. Lavelle, Senior Engineers; B.
McDermott, County Secretary; M.
Owens, A. Comer, Senior Executive
Officers; P. Canney, Senior Executive
Engineer; C. Wynne, A/Senior
Executive Engineer; B. Barrett,
Administrative Officer, G. Healy, Staff
Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

A resolution of sympathy was extended to the following:-

Mr Brendan Barrett, Moyardwood, Woodlawn, Ballinasloe, Co. Galway.
Mr Bertie O'Rourke, Bawnmore, Claregalway, Co. Galway.
Mrs Joan Kirwan, Fohenagh, Ballinasloe, Co. Galway.

CONFIRMATION OF MINUTES OF MEETINGS

68

The Minutes of the Monthly Meeting held on 20th July, 2009 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. T. Mannion.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION

69

The Report of the Ballinasloe Area Committee Meeting held on 2nd March 2009 was approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. T. Mannion.

The Report of the Ballinasloe Area Committee Meeting held on 16th March 2009 was approved by the Council and signed by the Mayor on the proposal of Cllr. T. Mannion, seconded by Cllr. D. Connolly.

The Report of the Ballinasloe Area Committee Meeting held on 24th July 2009 was approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, seconded by Cllr. Broderick.

The Report of the Conamara Electoral Area Committee Meeting held on 15th June 2009 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Tuairisg, seconded by Comh. Ó Curraoin.

The Report of the Corporate & Cultural Affairs SPC Meeting held on 12th December 2008 was approved by the Council and signed by the Mayor on the proposal of Cllr. D. Connolly, seconded by Cllr. McDonagh.

The Report of the Corporate Policy Group Meeting held on 20th April, 2009 was approved by the Council and signed by the Mayor on the proposal of Cllr. T. Walsh, seconded by Cllr. D. Connolly.

The Report of the Corporate Policy Group Meeting held on 30th June, 2009 was approved by the Council and signed by the Mayor on the proposal of Cllr. Fahy, seconded by Cllr. Cuddy.

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

70

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

The cul-de-sac road commences at its junction with “Fernhill” Housing Estate, Athenry in the townland of Ballydavid South and extends in a north direction for approximately 35m.

Electoral Area: Loughrea

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

71

On the proposal of Cllr. Welby, seconded by Comh. Ó Tuairisg, 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 County Road L53455 in the townland of Doon and extending north for a distance of 160 metres in the townland of Doon and finishing at Tony O'Hallerans house in the townland of Doon.

Electoral Area: Conamara

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.188 HECTARES AT PÁIRC NA HABHANN, ATHENRY, CO. GALWAY –

72

Report dated the 16th September, 2009 was already circulated to each Member

On the proposal of Cllr. Feeney, seconded by Cllr. Maher, the disposal of 0.188 hectares at Páirc na hAbhann, Athenry, Co. Galway was approved.

ESTABLISHMENT OF AUDIT COMMITTEE –

73

Report dated 22nd September, 2009 was already circulated to each Member

Cllr. D. Connolly referred to the Report and requested details regarding the area of expertise of the three people who were recommended for approval of the Council as external members of the Audit Committee. The Manager stated that Mr. P.J. McGovern is a retired Finance Officer from Galway City Council, Ms. Hannah Kiely is an Accountant and Mr. Brian Flynn is a retired C.E.O. from Ireland West Tourism.

It was proposed by Cllr. McDonagh, seconded by Cllr. Mullins and agreed that Mr. P.J. McGovern, Ms. Hannah Kiely and Mr. Brian Flynn be appointed to the Audit Committee.

It was proposed by Cllr. McDonagh, seconded by Cllr. McClearn and agreed that Cllr. McHugh be appointed to the Audit Committee.

It was proposed by Cllr. D. Connolly seconded by Cllr. T. Mannion and agreed that Cllr. Canney be appointed to the Audit Committee.

As a result of the foregoing, the following are the two Council Members and the three external Members appointed to the Audit Committee

- (1) Cllr. Tom McHugh
- (2) Cllr. Sean Canney
- (3) Mr. P.J. McGovern
- (4) Ms. Hannah Kiely
- (5) Mr. Brian Flynn

APPLICATION OF THE NSS GATEWAY AND HUB ERDF GRANT SCHEME –

74

Report dated 22nd September, 2009 was already circulated to each Member.

Mr. Barrett presented the Report to the Members which outlined a combination of projects for the Hub Town of Tuam, as follows:

- Upgrading of the Mill
- Greening of the Mall Theatre
- Energy proofing Community Gym and Resource Facility
- Green Refurbishment of Community House
- Provision of a Combined Heat and Power System to supply energy in the new Swimming Pool
- Physical refurbishment of public areas in Local Authority residential areas
- Landscaping of River Nanny amenity areas
- Tree Planting Programme for the town
- Enhancing Central Tourism focal point
- Public Lighting Project in the Palace Grounds Town Park
- The Shambles Development
- Common Signage Programme for Tuam Hub
- Improving Accessibility of Town with reference to the Access Audit undertaken in 2006
- Provide Broadband ducting and cabling for town in conjunction with Water Scheme
- Testing of Near to Point Technology for public services, joint project with Chamber of Commerce
- Development of a Public Wireless Hot Spot in the New Civic Offices
- Extending Town CCTV System
- Undergrounding of Public Utility Cables in Town Centre

The Members thanked the officials for preparing the submission stating that it sets out clearly many of the projects which are required urgently for Tuam, but they also stated that the absence of broadband in Tuam is a major stumbling block for progress for the town.

In reply to concerns expressed by the Mayor, the Manager stated that she is confident that the Council will be able to provide the matching funding required. She also stated that the Council is in discussion with the Department of Communications in the hope that they will provide funding for ducting for the Metropolitan Area Network for Tuam.

Mr. Cullen stated that the Council hopes to sign the contract for the Tuam Main Drainage Scheme shortly.

On the proposal of Cllr. Keaveney, seconded by Cllr. Canney, the application for the grant scheme was approved.

PRESENTATION BY 'SPIRIT OF IRELAND' ON MAJOR ELECTRICITY STORAGE FOR RENEWABLE ENERGY ON THE WEST COAST. 75

The Mayor introduced Mr. Mark Wheeler of 'Spirit of Ireland' to the Meeting. Mr. Wheeler gave a presentation to the Members on a major electricity storage project for the storage of renewable energy on the west coast of Ireland which the 'Spirit of Ireland' Company is hoping to develop. Mr. Wheeler stated that Ireland has the best wind energy in Europe but is limited by lack of storage and that Ireland depends on the import of 90% of our fuel, mainly in the form of gas, and his company feels that the generation and storage of wind energy in our own country would be much more

economical. He said that it is proposed that a National Public Limited Company would be established and that financial benefits would accrue to the local community from the project. He stated that the project is at an early stage at present and the purpose of today's presentation is to enhance awareness among the Members regarding the benefits of wind energy and storage.

A question and answer session then took place and the Members wished Mr. Wheeler well with the initiative but they expressed the view that difficulties may arise as the National Parks & Wildlife Service and An Taisce are very strict regarding development in the Conamara area.

TO APPROVE HIGHER EDUCATION GRANT SCHEME 2009/2010 – 76
Report dated 16th September, 2009 was already circulated to each Member.

Cllr. Keaveney referred to the fact that the Higher Education Grant Scheme was not received from the Department of Education until Race Week and he said that this is unacceptable as it gives very little time for students to submit their grant applications for assessment before the college year commences.

Cllr. Hoade agreed with Cllr. Keaveney stating that the number of applications received in 2009 is much greater than in previous years due to many people being made redundant.

Mr. Kelly confirmed that in excess of 1900 applications had been received at the closing date (a 40% increase in 2008 figures) and that 800 applications have been processed to date.

The Manager stated that the staff had been in contact with the Department of Education almost on a daily basis in the months before the Higher Education Grant Scheme was received in an effort to impress on the Department the urgency in getting the Scheme.

In response to a query from the Members, the Manager confirmed that staff have been deployed from other sections of the Council to assist in dealing with the volume of applications received but the assessment of grants is very detailed and can be very time consuming.

It was proposed by Cllr. McDonagh, seconded by Cllr. Keaveney and agreed that the Higher Education Grant Scheme 2009/2010 be approved.

TO FIX DATE FOR OCTOBER MEETING 77

It was proposed by Cllr. McDonagh, seconded by Cllr. Mullins and agreed that the October Monthly Meeting be held on 19th October, 2009 at 11 a.m.

WATER SERVICES ASSESSMENT OF NEEDS 2009 78
Report dated 24th September, 2009 was circulated to each Member.

Mr. Cullen outlined the Report which had been circulated as follows:

- The Department of the Environment and Local Government has signalled that it intends to issue a revised Water Services Investment Programme (WSIP) 2010 – 2012 and has requested Water Service Authorities to undertake a Needs Assessment and submit it to the Department by October 23rd 2009.

- With the changed economic climate and the finalisation of the River Basin District Management Plan, the new WSIP must prioritise projects that target environmental compliance issues. It must also support economic and employment growth and offer best value for money. There is also a need to take into account EPA Drinking Water and Wastewater Reports and the economic development of gateways and hubs identified in the National Spatial Strategy. The Needs Assessment now being undertaken by Galway County Council will be a critical input into the development of the Water Services Investment Programme 2010 – 2012.
- In drawing up the Needs Assessment, the Council is required to prepare separate lists of prioritised works under four broad categories of need. The categories for which separate lists are required are:-
 - Category 1: Water conservation proposals which meet environmental and economic goals.
 - Category 2: Works required to respond to ECJ judgements.
 - Category 3: Environment/Public Health Objectives (e.g. arising from compliance with Water Framework Directive requirements, Regulations and EPA Reports dealing with drinking water standards, wastewater treatment standards, authorisation of wastewater discharges, bathing water standards etc).
 - Category 4: Works to support sustainable development of Hubs and Gateways under the NSS strategic developing areas and works to support employment creation.
- Where there are a considerable number of schemes in each category as is likely to be the case in County Galway – the Water Services Authority is required to delineate proposals into those that are a priority for advancement over the coming three years and those which they would wish to advance when the first group are completed. This will be done by taking account of performance on compliance with water quality, wastewater standards and leakage and, by reference to readily available data, identifying proven demand for future capacity. Emerging priorities under the River Basin District Management Plans will be reflected also.
- The approach to be taken is intended to ensure that the resulting Water Services Investment Programme is realistic in its level of ambition in terms of the affordability and delivery of works included and that investment is focussed on key priorities. In this context the Council is required to review existing schemes which have not sufficiently advanced under earlier programmes to ensure that they:
 - have continuing relevance in light of the programme priorities;
 - reflect an appropriate scale of works in light of these priorities and timescale for delivery;
 - are appropriately phased;

- are affordable and offer value for money; and
 - are the most cost effective solution to addressing the problem.
- Schemes in the current WSIP will not automatically be included in the new WSIP and will be considered in conjunction with all others not yet in the programme in the context of the new Needs Assessment. It is to be expected that the list of schemes submitted for consideration will not differ greatly from those already in the existing Water Services Investment Programme. The water services staff will evaluate each proposal using the criteria laid down by the Department of the Environment Heritage and Local Government to determine the relative priority of each.
 - While the implementation of the Water Services Investment Programme is critical in bringing about much needed water services infrastructural improvements, it carries with it a capital and revenue financial burden the Council will find difficult if not impossible to sustain. Schemes advancing toward construction will have to be evaluated on a case by case basis to establish that the Council has the financial capacity to implement them.
 - Pending the issue of the new programme, the Council will continue to advance schemes in the current programme as quickly as possible.

The Members raised queries regarding individual schemes and Mr. Cullen replied that an assessment on a scheme by scheme basis is being carried out and he will be in a position to update the Members regarding the various schemes at the October Monthly Meeting.

FILLING OF CASUAL VACANCY ON THE ROAD SAFETY TOGETHER COMMITTEE –

79

Report dated 18th September, 2009 was already circulated to each Member.

It was proposed by Cllr. McDonagh, seconded by Cllr. Keaveney and agreed that Cllr. Carroll fill the casual vacancy on the Road Safety Together Committee.

SCHEME OF GRANTS FOR SPECIFIC IMPROVEMENT WORKS ON REGIONAL & LOCAL ROADS – PROPOSALS FOR FUNDING IN 2010

80

Report dated 28th September, 2009 was circulated to each Member.

Mr. Morgan informed the Members that the Department of Transport has invited applications for consideration for funding to undertake improvement works on Regional and Local Roads under the Specific Improvement Grant in 2010. He stated that an upper limit of €2,745,000 has been specified as the total cost of the works to be included in the Council's application and that the proposed new projects should only relate to projects which can be funded and completed within the year 2010.

It was proposed by Cllr. T. Walsh, seconded by Cllr. Keaveney and agreed that Scheme of Grants for Specific Improvement Works on Regional & Local Roads – Proposals for Funding in 2010, be approved.

Cllr. Feeney raised the issue of Loro Gate Roundabout as part of a private housing development in Athenry and the delay of over two years in progressing same and the

County Manager confirmed that the issue of the delay will be raised with the Department of the Environment, Heritage and Local Government.

Cllr. Cuddy referred to Circular RLRU No. 1/2009 and proposed the following: "that Galway County Council rejects the Circular letter issued on August 16th 2009 transferring responsibility from the Department of Transport to the National Roads Authority for management of local and regional roads and that sufficient funding be provided under the control of the Council to maintain our roads to safe condition". This proposal was seconded by Cllr. Connolly and agreed. It was also agreed that this Resolution be circulated to other Local Authorities and to the Association of City & County Councils.

Cllr. Feeney proposed that Galway County Council submit the following proposals to the Department of Transport for consideration under its SmartTravel Competition: "Galway County Council seeks funding for the provision of the Garraun Railway Station Link Road from the present N6 to the Coast Road and a carparking area to complement Iarnród Eireann's plans for a railway station at that location serving the Oranmore Area, to be built under the Western Rail Corridor funding". This proposal was seconded by Cllr. Cuddy and agreed.

Cllr. Feeney also proposed "That Galway County Council also seeks funding to provide a roundabout and park & ride facility at Loughgeorge". This proposal was seconded by Cllr. Cuddy and agreed.

Cllr. Carroll indicated that the people of Oranmore are not happy that the railway station is proposed to be located at Garraun. Mr. Morgan in reply stated that it is felt that Garraun is the most suitable location as the gradients are suitable and Garraun links up with the Ardaun concept.

It was proposed by Cllr. Keaveney, seconded by Cllr. D. Connolly and agreed that the Standing Orders be suspended to allow the Meeting continue after 6 p.m.

UPDATE ON THE RIVER BASIN DISTRICT MANAGEMENT PLANS – 81

Mr. Cullen updated the Members regarding the River Basin District Management Plans stating that the Plans, in compliance with the Water Framework Directive and National Legislation will be finalised this year and will come before the Council for adoption early in the New Year. He stated that River Basin Management is transboundary rather than on administrative boundaries and, as County Galway is located in two districts; the Council will be tasked with the adoption of two plans i.e. the Western and Shannon River Basin Management Plans. Water Management will be on a catchment basis in the plan and referred to as Water Management Units where the status of all waters, the pressures on our waters and reaching the objective of good status for all waters will be outlined. He said that the timeframe for the adoption of the Plans was short and that that was outside the control of the Council.

ASSIGNMENT OF CHAIRS OF STRATEGIC POLICY COMMITTEES – 82

Report dated 16th September, 2009 was already circulated to each Member.

It was proposed by Cllr. McDonagh, seconded by Cllr. Mullins and agreed that the following Members would be assigned as Chairs of the Strategic Policy Committees:

Strategic Policy Committee	Chair
Housing, Fire & Emergency Services	Cllr. Tiernan Walsh
Roads & Transportation	Cllr. Colm Keaveney
Corporate & Cultural Affairs	Cllr. Pat Hynes
Environment & Water Services	Cllr. Jim Cuddy
Planning, Economic Development & Community	Cllr. Michael Fahy

MANAGERS REPORT ON SUBMISSIONS RECEIVED ON THE DRAFT STRATEGIC POLICY COMMITTEE SCHEME –

83

Report dated 22nd September, 2009 was already circulated to each Member.

It was proposed by Cllr. T. Mannion, seconded by Cllr. Hoade and agreed that the Draft Strategic Policy Committee Scheme as approved by the Members at the July 2009 Monthly Meeting be adopted without amendments.

TO APPROVE ANNUAL FINANCIAL STATEMENT FOR YEAR ENDING 31/12/2008 –

84

Report dated 22nd September, 2009 was already circulated to each Member.

In reply to a query from Cllr. Broderick regarding the collection of commercial water rates, Mr. Cullen stated that the percentage of 47% is low for a number of reasons. He said that at the time of installation and afterwards there were many queries from the public, Councillors and interest groups such as the IFA and these had to be attended to before the bills could issue. Two important issues had also arisen which had to be addressed, i.e. a policy on leakage and the issue of users not yet metered and these have been addressed to the satisfaction of the Members. He said that there has been an improvement in the level of collection of water charges, but it is envisaged that collection will not be up to date until next year.

In reply to queries from the Members regarding the Non-Principal Private Residence Levy, the Manager stated that officials will put together a list of Frequently Asked Questions regarding the scheme and this will be published in the local newspapers in order to inform the public regarding the scheme.

It was proposed by Cllr. Mullins, seconded by Cllr. Keaveney and agreed that the Annual Financial Statement for the Year Ended 31st December, 2008 be adopted.

It was proposed by Cllr. T. Mannion, seconded by Cllr. Keaveney and agreed that the transfers to reserves as detailed in Note 15 of the Accounts be approved.

It was proposed by Cllr. Keaveney, seconded by Cllr. Hoade and agreed that the over/under expenditure by division as noted in Note 17 of the Accounts be approved.

PROGRESS ON THE M6 CONSTRUCTION PROJECT – BALLINASLOE TO GALWAY

85

Report dated September, 2009 was circulated to each Member.

Mr. Morgan gave an update to the Members on progress on the M6 Construction Project as detailed in the report.

In reply to issues raised by the Members, Mr. Morgan stated the following:

- The railway bridges at Athenry have been completed and as a result haulage on the public road network in connection with the contract will be minimized.
- It is anticipated that the contract will be completed early in the new year
- A programme for repair works to the haulage routes is being drawn up by the Council and repair works will begin within the next week or two.
- Blockages on existing drainage network have been removed
- Ongoing problems with rivers south of the road which cause annual flooding are not within the remit of the N6 Company to resolve
- The allocation of €1.5m in respect of the repair of haulage routes is for the current year only and a further allocation will be made in 2010. He also said that the N.R.A. is aware of the condition of the haulage routes and that the necessary funding will be assessed on an ongoing basis.
- Regarding the N6 Haulage Route insurance claims, Mr. Morgan stated that claims received have been passed on to the N6 Company and that the Council's Risk Controller is liaising with the company on this matter.

Cllr. Mullins proposed Notice of Motion No. 38 as follows:

"That the Members of Galway County Council will not allow the new M6 from Ballinasloe to Galway to be opened until such time as all the service roads on the route have been restored to a standard acceptable to our technical staff, and the flooding issues have been resolved to the satisfaction of the farmers in the catchment area. This motion is to be forwarded to the National Roads Authority". This proposal was seconded by Cllr. D. Connolly and agreed.

CONFERENCES

86

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

- **Byrne/Perry Summer School – 26th – 28th June – Christian Brothers School, Gorey, Co. Wexford**
 1. Michael Maher
 2. Pat Hynes
 3. Tomás Mannion
 4. Seán Kyne
 5. Peter Feeney
 6. Michael Mullins
- **Kadenza Consultancies – From the Canvass to the Council Chamber – 3rd – 5th July – West Cork Hotel, Skibbereen, Co. Cork**
 1. Pat Hynes
 2. Jarlath McDonagh
- **Superior Training – Effective Local Government Policy Making in the Current Recession – 10th – 12th July – West Cork Hotel, Skibbereen, Co. Cork**
 1. Pat Hynes
 2. Seamus Walsh
 3. Colm Keaveney

- **Percy French Summer School – 17th – 19th July – Castlecoote House, Castlecoote, Co. Roscommon**
 1. Pat Hynes
- **Patrick MacGill Summer School – 19th – 24th July – Glenties, Co. Donegal**
 1. Michael Fahy
 2. Michael Maher
 3. Seán Kyne
 4. Peter Feeney
 5. Colm Keaveney
 6. Pat Hynes
 7. Jarlath McDonagh
- **Esperanza Enterprises – Planning & Building Energy Regulations – 24th – 26th July – Carlton Millrace Hotel, Bunclody, Co. Wexford**
 1. Colm Keaveney
- **Ashford Building Services – Renewable Energy & Energy Conservation – 7th – 9th August – Carlton Atlantic Coast Hotel, Westport, Co. Mayo**
 1. Colm Keaveney
 2. Michael Maher
- **Parnell Summer School – Leisure & Recreation in Ireland – 9th – 14th August – Avondale House, Rathdrum, Co. Wicklow**
 1. Pat Hynes
- **Cumann Merriman Summer School – 16th – 22nd August – Ennis, Co. Clare**
 1. Pat Hynes
- **Humbert School 2009 – Can Ireland be Redeemed? – 20th – 23rd August – Ballina, Co. Mayo**
 1. Jarlath McDonagh
 2. Michael Maher
 3. Michael Fahy
 4. Jim Cuddy
 5. Colm Keaveney
- **Superior Training – Irish Language Course for Councillors – 28th – 30th August – Seaview Hotel, Gweedore, Co. Donegal**
 1. Pat Hynes
 2. Colm Keaveney
 3. Seamus Walsh
- **A.M.A.I. 96th Annual Conference – 10th – 12th September – Gleneagle Hotel, Killarney, Co. Kerry**
 1. Mary Hoade
 2. Michael Maher
 3. Pat Hynes
 4. Michael Fahy
 5. Tomás Ó Curraoin
 6. Colm Keaveney
 7. Jimmy McClearn
 8. Jim Cuddy

- **Agricultural Science Association Conference 2009 – Ireland the Food Island – A Myth or a Reality? – 11th September – Castleknock Hotel & Country Club, Castleknock, Dublin 15**
 1. Seán Kyne
 2. Peter Feeney
- **Carlow Tourism – 7th National Tourism Conference – The Arts, Culture & Tourism – 24th – 26th September – The Talbot Hotel, Carlow**
 1. Jarlath McDonagh
 2. Tiarnan Walsh
 3. Jimmy McClearn
- **TJK Conferences – Local Government Seminar for Councillors – 26th September – Patrick Punch Hotel, Limerick**
 1. Seamus Walsh
 2. Seán Canney
 3. Jim Cuddy
 4. Michael Mullins
 5. Tomás Ó Curraoin
- **Annual La Touche Legacy Seminar – “Are Local Authorities Good for your Health” – 2nd – 4th October, Charlesland Golf & Country Club Hotel, Greystones, Co. Wicklow**
 1. Tiarnan Walsh
 2. Tomas Mannion
 3. Michael Mullins
 4. Colm Keaveney

MAYOR’S BUSINESS

87

Cllr. Feeney asked if there was any truth in the rumour that the National Parks & Wildlife Service has requested that the E.S.B. submit an Environmental Impact Statement in respect of each electricity pole to be provided and the Manager replied that this matter will be checked out.

Notice of Motion No’s 35 & 39

88

Cllr. Fahy proposed that Galway County Council call on the Taoiseach and Minister for Social and Family Affairs to publish the National Carers Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the Programme for Government as a matter of principle”. This proposal was seconded by Cllr. Mullins and agreed.

NOTICE OF MOTIONS

NOTICE OF MOTION NO 21 – BRIDIE WILLERS

89

The following reply was given:-

“Maintenance works are currently being undertaken on the N66 and further funding will be sought from the National Roads Authority to facilitate additional

works. The proposal to extend the continuous white line at the location will be examined.”

NOTICE OF MOTION NO 22 – BRIDIE WILLERS

90

The following reply was given:-

“There is no funding currently available to facilitate additional measures at this location. A traffic safety audit will be undertaken with a view to submitting a proposal to the National Roads Authority for funding.”

NOTICE OF MOTION NO 23 – DERMOT CONNOLLY

91

The following reply was given:-

“The existing signage at this location will be reviewed and such additional signage as deemed necessary will be provided.”

NOTICE OF MOTION NO 24 – DERMOT CONNOLLY

92

The following reply was given:-

“This road will be considered for inclusion in the 2010 Roads Programme in the context of the competing priorities that will exist for available resources in 2010.”

NOTICE OF MOTION NO 25 – DERMOT CONNOLLY

93

The following reply was given:-

“The delivery of Galway County Councils Disability Action Plan has been progressed through the utilisation of grant funding from the Department and adhering to the principles of access provision in carrying out our normal work activities. An allocation of €397,092 has been agreed by the Department of Environment, Heritage and Local Government in respect of Disability Funding for Galway County Council in 2009 and a programme of work is currently underway.”

NOTICE OF MOTION NO 26 – EILEEN MANNION

94

The following reply was given:-

“The DBO contract documents have been submitted to the Department of Environment, Heritage & Local Government (DoEHLG). A Foreshore Licence has been applied for to the Department of Agriculture and will be forwarded to the DoEHLG when issued. This licence is necessary to complete the planning phase. The contract documents for the sewer network are with the consultants and will be issued to Galway County Council within 2 months.”

NOTICE OF MOTION NO 27 – EILEEN MANNION

95

The following reply was given:-

"This location will be examined and a report prepared. The road at this location is quite wide and to reduce its overall width will require physical works which in turn will limit parking availability and will require the allocation of funding."

NOTICE OF MOTION NO 28 – EILEEN MANNION

96

The following reply was given:-

"This road is subject to a 50km speed limit. The existing signage will be examined and the matter reviewed."

NOTICE OF MOTION NO 29 – JARLATH MCDONAGH

97

The following reply was given:-

"This proposal will be considered in drafting the 2010 Roads Programme in the context of the competing priorities for available resources."

NOTICE OF MOTION NO 30 – JARLATH MCDONAGH

98

The following reply was given:-

"This road will be included on the schedule for routine maintenance."

NOTICE OF MOTION NO 31 – JARLATH MCDONAGH

99

The following reply was given:-

"The erection of townland signage at this location is considered inappropriate as it may give rise to proliferation of such signs. There are a total of eight townlands directly accessible from this particular junction."

NOTICE OF MOTION NO 32 – JIM CUDDY

100

The following reply was given:-

"The current Draft Road Traffic (Special Speed Limits) County Galway Bye-Laws 2009 address priority locations, mainly in town and villages. To extend the review beyond such locations will require the allocation of additional resources in the context of the 2010 Budget/Roads Programme."

NOTICE OF MOTION NO 33 – JIM CUDDY

101

The following reply was given:-

"Funding available to the Council for 2009 has been substantially reduced due to a reduction in Local Government Funding from the State, significant reductions in Road Grants and reduced funding from local sources. The overall affect of the financial constraints and the requirements of Government have meant that the Council has had to achieve savings in areas such as non filling of vacancies arising including maternity leave, cessation of employment of temporary staff, cuts in overtime/allowances and travel costs which were essential in an effort to secure the continued full employment of the permanent workforce in so far as is possible. The Council is continuing to explore all options in relation to the

achievement of cost reductions having regard to the reduced resources and work programme and will continue to engage with the relevant union(s) in this regard.”

NOTICE OF MOTION NO 35 – MICHAEL FAHY 102
Please see minute no. 88 of the minutes

NOTICE OF MOTION NO 36 – MICHAEL FAHY 103

The following reply was given:-

“The contract documents for the Claregalway Sewerage Scheme, civil works were sent to the Department of the Environment, Heritage & Local Government (DoEHLG) in February 2008 and the DBO documents were issued to the DoEHLG in December 2008 as part of a bundle of four schemes including Claregalway, Milltown, Carraroe and Craughwell.

With regard to Clarenbridge Sewerage Scheme, the brief for the appointment of consultants to prepare the Preliminary Report was sent to the DoEHLG in April 2009.”

NOTICE OF MOTION NO 37 – MICHAEL FAHY 104

The following reply was given:-

“The responsibility for the maintenance and/or diversion of the drain giving rise to this flooding rest with the relevant landowners and not the Council. The matter will be reviewed in the context of the appropriate provisions of the Roads Act 1993 relating to the responsibility of land owners/occupiers.”

NOTICE OF MOTION NO 38 – MICHAEL MULLINS 105

The following reply was given:-

“The M6 Galway / Ballinasloe Motorway is being developed as a Public Private Partnership and accordingly is being managed directly by the PPP Unit of the National Roads Authority. As Galway County Council is not party to the contract and is not managing the project, the Council cannot impose conditions relating to the timeframe for the opening of the motorway.

Notwithstanding same, the issue of the impact of the project on the adjoining road network and in particular the impact on the service roads has and continues to be the subject of ongoing exchanges between the Council and the National Roads Authority.

In this regard, funding in the amount of €1.5 million has been secured in the current year to address the damage to the public road network arising from the project. It remains the intention of the Council to continue to pursue the matter with the National Roads Authority with a view to securing the funding necessary to restore the adjoining road network to an appropriate standard.

In relation to flooding, this issue has recently been the subject of discussions between the contractor and the relevant landowners and it is the Councils understanding that proposals are now in place to resolve the matter.”

NOTICE OF MOTION NO 39 – MICHAEL MULLINS 106

Please see minute no. 88 of the minutes

NOTICE OF MOTION NO 40 – MICHAEL MULLINS 107

The following reply was given:-

This matter is to be raised for resolution of the Elected Members.

NOTICE OF MOTION NO 41 – PAUL CONNAUGHTON 108

The following reply was given:-

“Definition posts are generally provided at junctions on the National Primary and Secondary road network and on heavily trafficked Regional roads. The road in question is a local tertiary road which provides access to approximately five dwellings. In the context of limited resources it is not intended at this time to extend the provision of definition post to include local tertiary roads.”

NOTICE OF MOTION NO 42 – PETER ROCHE 109

The following reply was given:-

“Funding in the amount of €30,000 is provided in the 2009 Roads Programme under the Low Cost Safety Improvement Works Scheme to facilitate works at this location. The project which will be completed in the current year includes provision for safety barriers at the junction.”

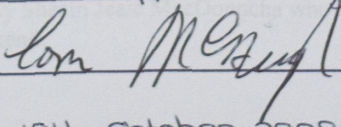
NOTICE OF MOTION NO 43 – PETER ROCHE 110

The following reply was given:-

“Advance warning signs, rumble strips and additional road markings were introduced to this section of road during the last year. Statutory signs are also in place. It is intended to carry out further work, including the provision of additional chevrons at this location during the current year.”

CRIOCHNAIGH AN CRUINIÚ ANSIN

Submitted, Approved + Signed



19th October 2009
Date

CHOMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY, 7TH SEPTEMBER, 2009

CATHAOIRLEACH:

Cllr. T. McHugh.

ILATHAIR FRESIN:-

Baill:-

Cllrs T Broderick, S. Canney, L. Carroll, P. Connaughton, D. Connolly, M. Connolly, Comh S. Ó Cuaig, Cllrs. J. Cuddy, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Hoade, P. Hynes, C. Keaveny, S. Kyne, M. Maher, E. Mannion, T. Mannion, J. McClearn, J. McDonagh, M. Mullins, M. Noone, P. Roche, Comh S. Ó Tuairisg, Cllrs. 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, Directors of Services, M. Lavelle, M. Dolly, Senior Engineers, G. Mullarkey, Head of Finance, Ms. B. McDermott, County Secretary. Messrs. A. Comer, M. Owens, Senior Executive Officers, Ms. V. Loughnane, Senior Executive Planner, Ms. G. Kavanagh, Assistant Planner, Mr. P. O'Neachtain, Oifigeach Gaeilge, Ms. M. McGrath, Senior Staff Officer, and Ms. R. O'Boyle, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY:-

62

The Mayor, Members and County Manager extended sympathy to the following:-

The parents and grandparents of the late Jamie Kyne of Kiltrogue, Claregalway, who died tragically at the weekend in England and who was a cousin of Cllr McDonagh.

The family of the late Johnny Shéain Jeaic MacDonncha who lost his life tragically in a boating accident at the weekend.

The family of the late Mr. Patsy Geraghty who had been a member of the Ballinasloe Town Council for over 25 years.

Cllr. Finnerty, on the death of his Father in Law, Mr. O'Connor.

A resolution of sympathy was also extended to the following:-

Mrs. Kathleen O'Toole & Family, Westport Road, Leenane, Co. Galway
Tom & Marie Mannion & Family, Moylough House, Moylough, Co. Galway
Angela Murphy, Gurraun, Belclare, Tuam, Co. Galway
Maressa & Colm Burke & Family, Skehanagh, Peterswell, Co. Galway

VOTE OF CONGRATULATIONS.

63

On the proposal of Cllr. McDonagh, seconded by Cllr. T. Mannion, it was agreed that the Galway Minor Hurling Team be invited to a Civic Reception at Aras an Chontae to acknowledge their success on winning the All Ireland Minor Hurling Final at the weekend. It was also agreed that Ms Olive Loughnane be invited to a Civic Reception for her recent success in winning a silver medal at the World Championships in Berlin.

Cllr. T. Walsh enquired if a reply had been received from the Taoiseach's Office regarding a proposal which had been passed at the last meeting regarding the turf cutting situation.

Ms. McDermott informed the meeting that an acknowledgement had been received.

The members expressed their concerns at the turf cutting issue and the fact that people are not allowed to cut turf on designated bogs and referred to a recent meeting in Abbeyknockmoy in relation to this matter.

It was proposed by Cllr. Canney and seconded by Cllr. S. Walsh that:
"Galway County Council refuse to participate in the enforcement of any laws in relation to turf cutting in County Galway under the Natural Habitats Directive".

Referring to Cllr. Canney's proposal, the Manager said she was not aware of any obligation on Galway County Council in relation to this issue and expressed the view that the obligation may be on the National Parks and Wildlife Service. However, she stated that the Council is legally obliged to comply with the law if bound by legislation.

Ms McDermott referred to a resolution of the Members at the March monthly meeting requesting a meeting with the Joint Oireachtas Committee on a number of issues which included the turf cutting issue. She advised that communication had recently been received indicating that the Committee will meet with a deputation from Galway County Council as requested and this is being arranged.

On the proposal of Cllr. Tomas Mannion, seconded by Cllr. M. Connolly it was agreed that

“We as members of Galway County Council ask the Minister to revisit the Terms of Reference in relation to the Review of the Peat Extraction Embargo by the Inter-departmental Committee to allow the submissions by the Turf Cutters and Bog Owners to be seriously considered”

Cllr. Mullins referred to the progress of lack of progress on the M6 and submitted the following proposal which was seconded by Cllr. Feeney and agreed.

“That the Agenda for the September Meeting include the following – Progress on the M6 Construction Project – Ballinasloe to Galway.”

Mr. Cullen in reply to a query regarding the Kilrickle Water Supply Scheme said that it is the Councils intention to have the required details in the Department by the end of September. He undertook to keep the Loughrea Area Councillors briefed in relation to this matter.

Cllr. D. Connolly referred to a previous resolution passed by the Members seeking a meeting with the Minister for Transport in relation to the difficulties regarding the M6 construction. Ms. McDermott confirmed that a response had been received indicating that the matter was the responsibility of the NRA and had been referred to them.

Mr. Morgan informed the members that the Council have been allocated €1.5 million by the NRA this year to carry out repairs to the damaged routes on the N6 and more funding is expected next year. He said that all haulage works are complete, and the Railway Safety Commission will be carrying out inspections on two new bridges in Athenry; following these inspections, repair works can commence.

The Members indicated that it was an insult to offer such a paltry sum for the repair of these routes and said that the expectation is to have the roads reinstated to proper and acceptable standards, not just fill the potholes. They also expressed the view that the road should not be opened until a proper allocation was received. Reference was made to other proposed works and if the roads would be surveyed before works commence for future PPP's. Mr. Morgan said that this is provided for in the Contract Documents for future PPP's.

TO CONSIDER THE MANAGER'S REPORT ON SUBMISSION RECEIVED ON THE AMENDMENTS AND MATERIAL ALTERATIONS TO THE DRAFT CRAUGHWELL LOCAL AREA PLAN PREPARED AS PER SECTION 20(3) OF THE PLANNING AND DEVELOPMENT ACT 200 AS AMENDED BY SECTION 9 (G) (II) OF THE PLANNING AND DEVELOPMENT (AMENDMENT) ACT, 2002

The Mayor invited Mr Ridge to present the Manager's Report which was prepared on the submissions received on the Amendments and Material Alterations to the Draft Craughwell Local Area Plan and circulated to the Elected Members on the 6th August 2009.

Mr Ridge outlined the various documents to be examined at this meeting, 'the Amendments and Material Alterations to the Draft Craughwell Local Area Plan' and the 'Manager's Report' on the submissions received on the amended plan, both of which were prepared as per the Planning and Development Act 2000 as amended. Also for examination at this meeting is 'the Screening Report of proposed Amendments and Material Alterations to Draft Craughwell LAP' and 'the Appropriate Assessment Screening Document' required by Article 6 of the European Habitats Directive.

Mr Ridge stated that the EU Habitats Directive 92/43/EEC was in force and that Galway County Council must comply with its requirements.

All the documents had to be considered together and the impacts of any changes to development policies, on the environment had to be fully evaluated before the final decision was made.

Mr. Ridge began by outlining the Environmental considerations that must be taken into account in relation to the Amendments and Material Alterations to the Craughwell Local Area Plan. He stated that the published amendments and material alterations if accepted would require an Appropriate Assessment to be conducted in accordance with the Article 6 of the EU Habitats Directive 92/43/EEC and also a Strategic Environment Assessment in accordance with the Planning and Development (SEA) Regulations 2004. If this happens, Mr. Ridge explained, the Craughwell Local area plan process to date would have to be abandoned and restarted as the LAP process and the SEA process must run parallel.

He added that due to the current situation with resources, it would not be possible to give a start date for this plan.

Mr Ridge advised the Members to take into account in their consideration of the Manager's Report that the proposed zonings in the Amendments and Material Alterations of the Draft Craughwell Local Area Plan were causing difficulty and would trigger the necessity for an Appropriate Assessment to be carried out

Mr Ridge commenced the consideration of the Manager's Report on **Submission 1 from the Craughwell Community Development Association Craughwell** the recommendation in the Manager's Report was as follows:

SUBMISSION No. 1

**Lorraine Slevin,
PRO Craughwell Community Development Association
Craughwell,
Co Galway.**

Synopsis.

1. General:

In general the content of the overall Draft through the planning policies and the objectives set out are a progressive step towards implementing better planning and development controls for the village for the years to come. In the absence of a developed master plan which would set out the infrastructure provision namely roads, utility and amenities necessary for future development within the development zone, it is considered difficult to see how individual planning applications can be correctly assessed. LAP's should outline the current and future planned development of utility services and GCC road upgrades, pedestrian and cycle route corridors.

2. Section 3.0 Land Use Development

The increase in the zoned lands will provide a more balanced development of the village core. Given the limitations to upgrade the existing road network serving these areas and the increased traffic impact that will result at each of the road intersections to the N6, the zoning of these lands at this juncture is somewhat premature.

3. Section 4.0 Movement and Transportation

One of the main findings tabled in the workshop (held on 01/05/08), was for pedestrian and bicycle paths to be established between the schools, village centre and local amenities. An overall plan (master plan) needs to be established setting out a network of paths and cycle-ways that will provide the necessary connectivity and in addition provide the framework for new development to link into. Craughwell is fortunate that they will have rail connectivity to Galway, Ennis, Gort and Athenry in the coming months. Whilst the submission acknowledges that the policies and objectives of the LAP acknowledge the need to link into this facility, it should embrace it by setting out in detail how the Train Station will be integrated into the community. This will better provide for the future development in the area. There will need to be provision for adequate road access and parking for vehicles (both cars and buses) to facilitate commuters utilising this train stations. Any future housing development in Craughwell will have to be assessed with regard to its impact on this rail link.

4. Section 5.0 and 6.0 Layout/Built Form and Residential Development

The submission notes the need to learn from the LAP's that have been implemented previously by GCC and even those beyond to adjoining counties. Although it is considered that cluster type housing estate developments have largely integrated well, the submission notes that in the majority of cases they have not and stand out alone with no streetscape connectivity between them. The submission considers that master planning of the streetscape and infrastructure is paramount to retaining that village/community feel to a locality. The submission notes that if the LAP looked at the development of each zone as a sector and try and establish a specific development pattern that should take place in these specific sectors, this would better preserve the village streetscape overall. Presently residential developments are in keeping with the village characteristics, the submission requests that a policy of high density housing with inadequate green space/amenities be avoided. The submission notes that there are insufficient lands in the ownership of GCC in Craughwell to provide for public parkland or on which amenities could be provided for

example a children's playground or tennis courts. The submission also notes that there are currently not plans to develop the river frontage in Craughwell as an amenity.

5. Section 7.0 Community Facilities, Recreation Amenity and Open Space

The current Draft fails to recognise the existence of the GAA facility behind the N.S. The submission suggests that through the zoning of this area as recreation and amenity, and the development of adjoining lands in the permitted mixed zone, provides future potential to centralise the development of facilities going forward. In the absence of community owned lands, the LAP is the only way of providing the land necessary for the development of these facilities. Through the centralisation of facilities, other clubs such as the soccer and Foróige clubs could take full advantage of this community funded amenity.

The Galway Blazers house/pony riding club and other clubs which contribute to social events held in Craughwell lack a green space amenity to support this rural equine industry for example show jumping events etc. such as that found in Oughterard, Co. Galway.

6. Section 8.0 Services and Infrastructure

The main area of concern under this section is the location of the sewerage treatment facility envisaged for Craughwell, the area that Phase 1 will serve and the design redundancy for future expansion of the Village. While the submission acknowledges that this is not the forum for pursuing these concerns the LAP should indicate the needs of the community for future sustainable development and protection of its environment. The submission is encouraged by the policies set out recognising the need to establish a recycling centre location; the LAP should also go a step further and establish the location for this centre.

7. Section 9.0 Economic Development

The submission is encouraged that policies have been established to better plan for the future but would question whether or not a Retail/Commercial Feasibility Study should not be a specific requirement for future commercial/retail developments to be submitted as part of their developments. The submission notes that given the limited size of the community and the proximity to retail centres in Oranmore, Athenry and Loughrea, there is a limit to what the immediate local community can support.

8. Section 10.0 Environment and Heritage

No comments other than the establishment of appropriate signage in the village centre to record and publicise the local heritage to visitors.

9. Section 11.0 and 12.0 Building Design, Energy Efficiency and Sustainability and Implementation

The submission is pleased that the LAP will compound the national effort through its implementation of policies and objectives in this section. With respect to development contributions and the proposal with regard to Special Contribution Schemes, the

submission requests that this is a condition precedent to being imposed for all future grants of permissions instead of “may be imposed”.

10. Section 13 Development Planning Standards

The previous comments regarding the development of a master plan approach to the development of Craughwell, the avoidance of cluster housing developments and the encouragement of streetscape connectivity between developments equally apply to this section. The necessary policies exist but now the integration of developments being constructed needs to be achieved

The submission concludes by acknowledging the challenges presented to GCC in formulating a LAP that achieves the best fit for the community given the topographical and land ownership constraints. The submission again requests that the goal should be to learn from the experiences gained from past LAPs and every opportunity taken for the current downturn to get the plan right going forward. As a development association they are committed to working with the GCC and giving whatever assistance is necessary to achieving this goal.

RECOMMENDATION

1. General -

- Include the following new text to be inserted within **Section 3.2 Land Use Strategy** to read as follows:

“The PA shall also consider the use of Master Plans for all large development proposals to show the locations, nature and scale of development and the manner in which appropriate types and locations of community facilities and amenities are to be delivered”.

- Include a **new specific objective within Section 6.2 Residential Strategy of the Plan** to read as follows:

***Objective RD3.6** : The PA may require Action Area Plan/Master Plans with large residential and/or mixed use development applications (in excess of a floor area of 1,500 m²), which has regard to the County Settlement Strategy, to the principles as set out in the Land Use/Residential Strategies and Frameworks, the need to build in community gain priorities and that incorporates a phasing programme to ensure the provision of services and the proper completion of each stage of the scheme.*

2. Section 3.0 Land Use Development -

- The PA continues to consider it inappropriate and premature to include and zone additional lands and to extend the development boundary west of the railway line. The PA however still consider it appropriate to retain Objective TA1.15 -

Objective TA1.15: Reserve strategic gateway entrances from existing road network to lands west of the railway line and north of the R347 to accommodate the medium to long term growth of the village as indicated on Map B2 (Material Alterations) of the Draft Plan as amended

3. Section 4.0 Movement and Transportation –

- Include of a new Objective within Section 4.3 Movement and Transportation Strategy to read as follows -

Objective TA2.9: *Facilitate the provision of pedestrian/cycle/public lighting links between Craughwell National School and the existing village core along existing roads as resources permit.*

- **Objective TA3.3** already seeks the development of an integrated public transport service for Craughwell. The provision of a bus stop/shelter at the railway is a matter between the service providers rather than the LA. Not a matter for the LAP.

No change recommended.

4. Section 5.0 & 6.0 Layout/Built Form and Residential Development –

- It is considered that the issues outlined under this point are adequately addressed already within the Plan. No change recommended.

5. Section 7.0 Community Facilities, Recreation Amenity and Open Space -

- The PA considers that these issues are adequately addressed within S. 7 Community Facilities, Recreation, Amenity and Open Space of the Draft Plan as amended. No change is recommended.

6. Section 8.0 Services and Infrastructure -

- Include a new policy – **Policy CF 6** within **Section 7** to read as follows:

Policy CF6 *It is the policy of the Council to support the prevention, reduction and recycling of waste in Craughwell to ensure that as little waste as possible is remaining to be disposed of and facilitate the provision of adequate waste infrastructure, such as bring banks for all recyclables including glass/bottle banks at suitable locations within the village area.*

Include a new objective regarding recycling and possible locations -

Objective CF 5.1 *Promote the prevention, reduction and recycling of waste in new developments. Applicants will be required to submit proposals demonstrating how this is to be achieved with planning applications.*

7. Section 9.0 Economic Development -

- Include the following new text in relation to retail development within S. 13 Development Management Standards and Guidelines to read as follows:

S. 13.8.1 Retail Facilities

Proposals for future retail facilities will be considered with regard to the following:

- *The provisions of the Retail Planning Guidelines 2005, particularly the application of the sequential test and the assessment of the potential impact on the viability of the Village Core.*
- *The recommendations of the GCDP 2003-2009, which will be augmented by a Galway County Retail Strategy once it has been completed by GCC.*

Proposals for new retail facilities will not normally be permitted outside of the Village Core and will only be considered where they will complement the Village Core environment. A Retail Impact Assessment will be required where appropriate as part of the planning application documentation in order to assess the impact of a proposed development on the vibrancy and function of the Village Core. GCC will require a deviation from the standard layout and design of particular stores, having regard to the unique character of Craughwell and will not permit such development where they impact negatively on the quality of the villagescape.

Include the above text within **S.13.8.1** of the Amendments/Material Alterations to the Draft Craughwell Local Area Plan Craughwell Draft Plan.
Amend the remaining numbering within this section.

8. Section 10.0 Environment and Heritage –

- No change is recommended. No change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan Craughwell Draft Plan.

9. Section 11.0 and 12.0 Building Design, Energy Efficiency and Sustainability and Implementation -

- No change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan Craughwell Draft Plan.

10. Section 13 Development Planning Standards -

- Include the following text within this section to read as follows:-

S. 13.11.2 Site Appraisals and Design Statements

All development proposals must consider the location, context *including access into the site and streetscape connectivity between developments*, landscape setting, features and characteristics of the site, which should be used to provide the basis for informed and considered decision –making with regard to the selection of appropriate settlement forms and the incorporation of important landscape features in the layout and design of new development. This forms an essential part of the design process, site

appraisals including an *access* and design statement will be required with all development proposals to show how these issues have been addressed.

Recommend to include the new text within S. 13.11.2

On the proposal of Cllr Feeney and seconded by Cllr Fahy it was agreed to accept the recommendations in the Manager's Report in relation to Submission No 1 except in relation to the proposed new objective TA29 where the words 'along the existing roads' has been deleted from the objective..

SUBMISSION NO 2

Michael Tobin

Secretary of Craughwell Athletic Club

Grenage,

Craughwell

RECOMMENDATION

No change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan Craughwell Draft Plan.

It was agreed to accept the recommendation in the Manager's Report.

Mr Ridge continued with Submission No 3 and read out a synopsis of the submission to the meeting as follows:

SUBMISSION NO 3

Mr. Patrick O' Sullivan,

Ms. Finola McDonald,

Spatial Policy Unit,

Room 101,

Department of the Environment, Heritage and Local Government

Custom House,

Dublin 1.

Synopsis.

This observation contained a number of issues regarding the proposed Amendments/Material Alterations to the Draft Craughwell LAP including the following:

1. Housing Overprovision

- The Department notes that the 2006 Census of Small Area Population Statistics (SAPS) recorded that the village of Craughwell contained 519 dwellings. The Council have indicated that Craughwell has a housing need for 921 (error in DOEHLG figure- this reads **981** within Table 5a of the Draft Plan) dwelling units within the plan period based upon projections derived from the results of the 2006

appraisals including an *access* and design statement will be required with all development proposals to show how these issues have been addressed.

Recommend to include the new text within S. 13.11.2

On the proposal of Cllr Feeney and seconded by Cllr Fahy it was agreed to accept the recommendations in the Manager's Report in relation to Submission No 1 except in relation to the proposed new objective TA29 where the words 'along the existing roads' has been deleted from the objective..

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Secretary of Craughwell Athletic Club

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No change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan Craughwell Draft Plan.

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This observation contained a number of issues regarding the proposed Amendments/Material Alterations to the Draft Craughwell LAP including the following:

1. Housing Overprovision

- The Department notes that the 2006 Census of Small Area Population Statistics (SAPS) recorded that the village of Craughwell contained 519 dwellings. The Council have indicated that Craughwell has a housing need for 921 (error in DOEHLG figure- this reads **981** within Table 5a of the Draft Plan) dwelling units within the plan period based upon projections derived from the results of the 2006

SAPS and the housing figures as adopted in the Settlement Strategy contained in the Galway County Development Plan 2009 - 2015.

- The proposed amendments to the Draft LAP have extended the development boundary of the village from 94 hectares, as originally proposed in the Draft LAP, to 130 hectares as per the Amendments. As a result, the potential number of new residential units which could be built on undeveloped land within the revised development boundary is approximately 1,683. This amounts to 762 (error in DOEHLG figure- this should be **702**) units in excess of the requirement estimated for Craughwell for the Plan period. Furthermore, this excess represents a three-fold increase on the 519 dwellings which were recorded in the village in 2006.
- It is important that residential development in Craughwell be in accordance with the adopted in the Settlement Strategy contained in the County Development Plan. It is strongly recommended that the Council give consideration to reducing the extent of the village development boundary and the implementation of a **clear phasing programme**. The Council is advised to note that Section 18(4) (b) of the Planning and Development Act 2000 states that "*any provision of a local area plan (which) conflicts with the provision of the development plan....., the provision of the local area plan shall cease to have any effect*".

Therefore, it is critical that the provision of residential development in Craughwell is in accordance with the adopted in the Settlement Strategy contained in the County Development Plan.

2. Environmental and Habitat Issues

- The Council is obliged to consider the implications of the proposed amendments to the draft LAP on the integrity of adjoining Natura 2000 sites in accordance with the Article 6 of the Habitats Directive 92 / 43 / EEC before any such LAP is adopted. Article 6 (3) states that "*...the competent national authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned...*"
- National policy as set down in Circular Letter SEA 1/08 and NPWS 1/08, dated 15 February 2008, states that a planning authority cannot adopt a plan or any part of such a plan where a significant impact on a Natura 2000 site is likely. The Planning Policy Section of the DOEHLG have advised the Council in their submission dated 10th July 2009 to adopt the precautionary principle with regard to the proposed amendments, in light of the proximity of Craughwell to the Rahasane Turlough and Galway Bay Inner/Complex Natura 2000 sites, the fact that the Craughwell / Dunkellin River is vulnerable to flooding due to a raised water table in winter months and that there is no public waste water treatment network or facility in the village. The Screening Report carried out and circulated to all members along with the Draft Amended Local Area Plan for Craughwell indicated that a full Appropriate Assessment of the Amended Draft Plan would now be required and this is now reiterated as formal advice to the Council from the DOEHLG.
- It is considered by the Planning Department and by the DOEHLG that the proposed Amended Draft Craughwell LAP should now be subject to an extended

Appropriate Assessment in relation to its impact on the aforementioned Natura 2000 sites in advance of the adoption of the Plan. National policy as set down in Circular Letter SEA 1/08 & NPWS 1/08, dated 15th February 2008, states that:

- (i) *"In any case where, following screening, it is found that the draft plan or amendment may have an impact on the conservation objectives of a Natura 2000 site or that such an impact cannot be ruled out, adopting a precautionary approach-*
- (ii) *an appropriate assessment of the plan must be carried out and*
- (iii) *in any case where a strategic environmental assessment (SEA) would not otherwise be required, it must also be carried out"*.

- Accordingly, adopting the precautionary approach is necessary by virtue of
- the potential impact of the proposed amendments on the integrity of adjoining Natura 2000 sites, and the proposed amendments to the Draft
- LAP should now be subject to a full SEA in advance of the final adoption of
- the Plan.

The Department notes that the original **Draft Plan** was screened in accordance with EU SEA Directive 2001/42/EC and the Planning and Development (SEA) Regulations 2004. Following the carrying out this screening process and consultation with the designated Environmental Authorities it was determined that the Draft LAP would not have any significant likely effects on the environment a full SEA was not required for the Draft LAP.

3. Flood Risk Assessment

- The DOEHLG has highlighted the point that the extension of the LAP boundary has increased the potential for flood risk in Craughwell. It is noted that Material Alteration 2 lies within the floodplain of the Craughwell/Dunkellin River and it has not been subject to the "Justification Test" as required by the Draft Flood Risk Guidelines.
- Accordingly, the adopting the precautionary approach and by virtue of the potential flood risk, the Council is advised that the proposed amendments to the Draft LAP are subject to a full Flood Risk Assessment in advance of the final adoption of the Plan.

Mr Ridge stated that the Draft Plan had an environmental seal of approval from the Department of the Environment Heritage and Local Government but that the proposed amendments and Material Alterations have pushed the plan over the threshold and the amended plan would now be subject to a full SEA and Appropriate Assessment.

Mr Ridge explained that the recommendation in the Manager's Report was as follows:

RECOMMENDATION

1. Housing Overprovision

- In order to comply with Section 18 (4)(b) of the Planning and Development Act 2000, to align the Draft Craughwell LAP (as amended) with the Settlement Strategy as adopted for Craughwell under the CDP 2009-2015, it is recommended to re-instate the original Development Plan Boundary and original zonings as per the Draft Plan.
- It is recommended to revert to the original figures for Table 5a: Density Guidelines and Potential Development Yield.
- It is also recommended to include the following new Section regarding growth rates, phasing framework and alignment with the Settlement Strategy as per the CDP 2009-2015 to read as follows:

S. 3.3.1 Growth Rates and Phasing Framework

Growth Rates

The growth of Craughwell shall be directed in an orderly manner in accordance with the housing construction allocation (500 housing units) provided for under the GCDP 2009-2015 and any subsequent variation or review. Development will generally be encouraged on a sequential basis from the central and serviced areas outwards in order to facilitate the consolidation of the village, to provide optimum use of existing services and infrastructure and to ensure that the main village facilities and amenities are within walking/cycling distance of the majority of the village population. The development of new houses should be matched by improvements in services and infrastructure and the provision of adequate facilities and amenities to support the growing population in Craughwell

Phasing Framework

Development will be encouraged in an orderly and sequential manner by prioritising the developments that meet as many of the following criteria as possible:

- *Infill developments within the Village Core and Inner Village areas that contribute to the consolidation of the village and the improvement of the streetscape.*
- *Developments that incorporate significant community gain through the delivery of important community facilities and/or amenities to serve the local community.*
- *Developments that are well located with respect to the existing village centre and village population.*
- *Developments that can be served with an adequate level of road and pedestrian access, services and infrastructure, particularly public wastewater services.*

2. Environmental and Habitat Issues -

- In order to continue with the making of a Local Area Plan (avoid Appropriate Assessment and Strategic Environmental Assessment process) for Craughwell under the current Plan making process, the Council is advised to revert to the original zonings as and to the original Draft Development Boundary as per pre Amendments.

3. Flood Risk Assessment and Planning Guidelines

- In order to comply with the requirement to comply with the Flood Risk Planning Guidelines, it is advised to revert to original Draft Development Boundary and to original zonings as per pre Amendments.

Please note that:

It is considered by the PA that should the proposed new lands and zonings as per the Amendments be considered for inclusion in the Final Draft, then a full AA, SEA and a full Flood Risk Assessment shall be undertaken prior to the final adoption of the Plan.

This cannot be achieved under the current process due to the following requirements of the SEA Regulations:

“the SEA is a process which must be concurrent with the entire Plan review process from initial public notification and Pre-Draft consultation to eventual Plan adoption (as per Article 8 of the Planning and Development (SEA) Regulations 2004) and must inform the Elected Members of the environmental consequences of their decisions at all key stages

Cllr Feeny stated that this recommendation was the crux of the situation with the Craughwell Local Area Plan. He added that the community in Craughwell have waited a long time for this plan. He added that the proposed amended plan was a sensible and well balanced plan and that the proposed changes did not appear excessive. He added that Craughwell was now faced with a half baked plan in the absence of no plan. He added that regardless of whether the SEA and Appropriate Assessments are carried out it will revert back to the original Draft Plan as this is the only plan the Department will accept. He stated that he could not see a more justifiable piece of zoning which would connect the school to a village core.

Mr Ridge stated that the Draft Craughwell Plan was a good plan; but added that it may not have all the elements desired by the Elected Members.

He added that to treble the population of Craughwell in a five year period would not meet the requirements of the DOE in respect to Spatial Strategy or with the Council's Settlement Strategy in the Co. Development Plan.

The environmental impacts of such a change had been screened by the PA and this indicated that an SEA would be required. The DoEHLG in their submission also made reference to the same point.

He added that the environmental requirements are so onerous and the lack of a compatible fit between Planning legislation and Environmental legislation made it extremely difficult to prepare a Local Area Plan.

Cllr McClearn stated that it appeared that the role of the Elected Members was now to rubber stamp the proposals of the County Council officials.

He added that Craughwell, which forms part of the Western Rail Corridor, would be an ideal location for development and stated that he was unsure of the consistency of the overall objective.

He stated that it would be better to zone sufficient land in villages like Craughwell as the level of one off housing around the County could not be sustained, yet the Department of the Environment will not allow this.

He added that if the lands proposed by the Council officials were likely to be accepted by the DoEHLG then there was a clear agenda to remove the Elected Members from the planning process.

Cllr Fahy stated that he was very disappointed that the DoEHLG had ignored the proposals of the Elected Members in relation to the amended Draft Plan. He added that as the school was not connected to the village it could lead to an issue of road safety for the school going children.

Cllr Willers expressed her disappointment with the Local Area Plan for Craughwell and added that there is no connectivity between the school and the village core. She also added that the school would not be connected to the Craughwell sewerage scheme. She added that it was disappointing to be left with the choice of accepting the Draft Plan or no Plan.

Cllr Cuddy stated that it was becoming a waste of time and money preparing local area plans.

Cllr Finnerty stated that a ring road for Craughwell was essential.

Cllr Maher stated that he was disappointed to be left to choose between a half baked plan and no plan.

Mr Ridge stated that he acknowledged the despondency of the Members in relation to Local Area Plan process and added that both the officials and the Elected Members must be guided by the Planning Legislation and the EU Directives

On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed to revert back to the original Draft Plan and not proceed with the published amendments

SUBMISSION NO 4

Ms. Mary Colohan,

Higher Executive Officer,

Department of Education and Science,

Portlaoise Road,

Tullamore,

Co. Offaly.

Synopsis.

The Department previously made a submission (Submission No 11) to the Draft Craughwell LAP which consisted of information used by the Department of Education and Science to calculate educational infrastructural requirements, site suitability requirements, current educational provision in the Craughwell environs and future educational requirements based on house construction and future projected population.

This submission notes the contents and amendments/alterations to the Draft Plan in relation to Existing and Future Population and Demographic Trends as per Section 2.4 and have not further comment to make in this particular instance.

Response

The PA noted the contents of the Departments initial submission and consequent to this submission the Elected Members had agreed with the recommendations within the Manager's Report on the Draft Plan and including the insertion of additional text within **Section 13.6.1 Schools** (p. 70) which reads as follows -

'The Plan supports the provision of adequate school facilities to serve the local community. No significant development shall take place without an assessment on impact of school provision as outlined within 'Sustainable Residential Development in Urban Areas' (2008, p.44). Sites required for new schools shall comply with the requirements of technical guidance documents published by the Department of Education and Science or any superceding version of these documents, subject to school design and site suitability.

The provision of such facilities shall be guided by the following:

- Technical Guidance Document -025 - Identification and Suitability of Sites for Primary Schools
- The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities, the Department of Education and Science and the Department of Environment Heritage and Local Government
- General Design Guidelines for Schools (Primary and Post-Primary) 2007
- Primary Schools Design Guidelines (2007)
- Construction Standards for Schools (2008)
- Post Primary School Design Guidelines (2008)'

The school site is outside the Development Boundary and its protection is not a matter for the current Draft Plan. No change to the Draft Plan. No further amendments are considered necessary.

RECOMMENDATION

No further change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan.

On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed to accept the recommendation in the Manager's Report

2.5 SUBMISSION No. 5

**Michael Mc Cormack,
Policy Advisor (Planning),
National Road Authority (NRA),
St. Martin's House,
Waterloo Road,
Dublin 4.**

Synopsis.

The NRA has previously submitted observations on the Draft Craughwell LAP outlining official policy position with reference to access to national roads with a view to protecting the capacity and safety of the existing N6 through Craughwell, pending the completion and opening of the M6.

This submission welcomes consultation on the proposed amendments and further outlines the following specific comments:

1. The NRA welcomes and supports the inclusion of *Policy* TA2, (p. 15 of the Draft Plan as Amended) in relation to access to national roads and the commitment to develop a strategy to identify activities or locations where exemptions to the general restriction on access to national roads may be considered and the scheduled criteria to guide the consideration of such exceptions. In association with this, the NRA also welcomes the clarification provided by the proposed amendments to S. 13.5.1 Access to Public Roads (p. 67 of the Draft Plan as Amended).
2. The NRA also welcomes the amendment to Objective TA1.5 (p. 14) clarifying the requirement for Traffic and Transport Assessment (TTA) & Road Safety Audits (RSA) and the proposed amendments incorporating the associated standards scheduled within S.13.5.1 (p. 67-68), including reference to the Authority's Traffic and Transport Guidelines (2007).
3. The NRA welcomes the consultation on the proposed amendments and the assessment of the Authority's submission on the Draft LAP including the resultant incorporation of the proposed amendments referred to above. It is

requested that the foregoing comments and observations are taken into consideration in the making of the Craughwell LAP.

RECOMMENDATION

No further change to Amendments/Material Alterations to the Draft Craughwell Local Area Plan with regard to this Submission.

It was agreed to accept the recommendation in the Manager's Report.

On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed to proceed with the Draft Craughwell Local Area Plan as agreed.

In response to a query from the Members, Mr Cullen explained that most of the issues with the National Parks and Wildlife Services in relation to the proposed treatment plant for Craughwell had been resolved and it was hoped that the Part 8 process would commence by the end of the year.

Mr Ridge proceeded with the consideration of the 'Appropriate Assessment Screening Report of the Draft Craughwell LAP including the proposed amendments and material alterations'. He referred the meeting to Section 2 of the report titled 'Appropriate Assessment' and to the reasons why an AA was not required for the published Draft Craughwell Plan. Mr Ridge stated that according to the evaluation of the Planning Authority and the submission from the DoEHLG the published amendments to the Draft plan would necessitate a full Appropriate Assessment.

Mr Ridge proceeded with the consideration of 'Addendum 2 - SEA screening report of the proposed amendments and material alterations to Draft Craughwell Local Area Plan (LAP)'. He referred the meeting to Sections 1.2 and 2.0 which outlined the purpose of the SEA Directive and the purpose of the Strategic Environmental Assessment (SEA). Mr Ridge stated that the published amendments to the Draft Craughwell LAP would require a full Strategic Environmental Assessment, if proceeded with.

On the proposal of Cllr Mullins and seconded by Cllr McDonagh it was agreed that following the consideration of the Appropriate Assessment Screening Report and the SEA Screening Report of the Draft Craughwell LAP including the proposed amendments and material alterations it was agreed to accept the recommendations within these reports in so far as they relate to the recommendations of the Manager's Report.

Mr Ridge proceeded to go through the Craughwell Plan and indicated the location of the agreed amendments and advised the members that they could alter any of the proposals if they so wished by way of agreed proposal.

On the proposal of Cllr Feeney and seconded by Cllr Maher it was agreed to adopt the Draft Craughwell Local Area Plan as amended and agreed at the meeting.

On the proposal of Cllr. D. Connolly, seconded J. McDonagh, it was agreed that the Standing Orders be suspended to allow the Meeting to proceed after 6p.m.

REPORT OF THE SPECIAL GROUP ON PUBLIC SERVICE NUMBERS AND EXPENDITURE PROGRAMMES (BORD SNIP)

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The County Manager referred to the published extracts from the Report and the key issues which affected the Local Authorities and which had been circulated to the Members.

The Mayor then invited to the Members for comments and this he said, will form the substance of a submission to the Department of the Environment and relevant Government Departments.

The Members raised serious concern about the affects on Local Government should a number of suggestions be pursued further:

- Cuts in the Local Government Fund and the grants for Regional and National roads which have already been experienced in 2008 and 2009.
- In the context of Galway County Council the reduction in the Local Government Fund and a reduction of €8.3m in our road grants which has already had a significant impact.
- Cuts in funding from sources such as the Department of Community Rural & Gaeltacht Affairs.
- If a further cut of €100m is imposed on the Local Government Fund the implications for the continuation of service delivery will be significant.
- Suggestion of less maintenance costs in roads does not take account of the current poor quality of the road network outside of the national routes and the significant damage caused to roads in counties like Galway by the heavy construction traffic involved in the construction of the new M6, and the impact of adverse weather conditions which arise every year.
- Changes to the Environment Fund will have financial implication for the local authority who depend on this to support waste management and recycling activities, enforcement initiatives and environment awareness campaigns and some research initiatives which were carried out by the Local Authorities.
- Changes to the RAPID scheme and the effects for towns such as Tuam and Ballinasloe
- The implications of ceasing programmes such as Green Schools Initiative, and the Farm Plastics Scheme.
- The affect of cutting investment in the Islands on the future of the Tourism industry currently attracting 200,000 visitors per year to this location
- The subventions to the Mná Ti and the €50m income generated in the Gaeltacht area from the Irish Language activity.
- The practicality of amalgamating Galway City and County Local Authorities was questioned given the scale of the area, and variety of issues.

In the wider context the Members expressed concern about the recommendations apparent lack of understanding of how a rural area functions particularly in the West of

CIOMHAIRÉ CHONTAE NA GAILLIMHE

Ireland. A whole range of proposals included in the report have the capacity to impact very negatively on the rural populations in Counties like Galway including:

- proposed cuts in the areas of education through non-funding of posts, and increases in class sizes, reduction in Special Needs Assistants, together with the proposed closure of smaller schools and displacement of pupils from their communities into already overcrowded and deficient schools.
- the closure of rural Garda Stations and the resultant increase in crime and affect on quality of life and increased fear among older people.
- the loss to the broader rural economy of income received through schemes in the farm sector including REPS and the increase in farmers requiring participation in rural assistance.
- The abolition of Clár which effectively suggests that it is no longer important to get investment into rural areas.
- Rural Transport cessation and the affect on social exclusion, quality of life and ultimately healthcare provision and care requirements
- The economic affect on whole regions if cut in the PSO forces the closure of regional airports.
- Loss of the focus that Udaras na Gaeltacht has on rural areas and existing industries which is not duplicated in Enterprise Ireland
- Social implications of closing Family Resource Centres
- proposals to cut the indigenous productive sectors including Tourism and Agriculture to build on our strengths and capacity to earn.

In conclusion the Members recognised the very difficult financial position and the economic climate which currently exists. They agreed that parts of the report are welcomed and the need to continue to streamline activities and create efficiencies is essential including the amalgamation of some bodies.

It was agreed that a submission would be made to the Taoiseach and the relevant Government Departments in relation to this matter, and also circulated to the Members

**DRAFT ROAD TRAFFIC (SPECIAL SPEED LIMITS) COUNTY GALWAY
BYE-LAWS 2009.**

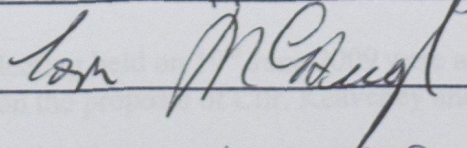
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Report dated the 1st September, 2009 was circulated to each Member.

Following a discussion, it was proposed by Cllr. Hoade, seconded by Cllr. T. Mannion, and agreed that the Draft Road Traffic (Special Speed Limits) County Galway Bye-Laws be approved and be put on Public Display.

Criochnaigh an Cruinniu Ansin

Submitted, Approved + Signed



19th October 2009

DATE