

GALWAY COUNTY COUNCIL,

COUNCIL MINUTES

GC/1/53

24 MAY 2010 TO 18 APRIL 2011

CHOMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 18th APRIL, 2011.

CATHAOIRLEACH:

Cllr. J. McClearn

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, S. Canney, L. Carroll, S. Cunniffee, D. Connolly, M. Connolly, J. Cuddy, Comh S Ó Cuaig, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Hoade, P. Hynes, Comh. S Ó Laoi, Cllrs. K. Ryan, M. Maher, E. Mannion, T. Mannion, J. McDonagh, T. McHugh, M. Mullins, M. Noone, P. Roche, Comh S. Ó Tuairisg, Cllrs. T. Walsh, T. Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager; Messrs. J. Cullen, F. Gilmore, K. Kelly Directors of Service; G. Mullarkey, Head of Finance; B. McDermott, County Secretary; M. Owens, Senior Executive Officer, C. McConnell, Senior Planner; A. Martens, Executive Planner; M. McGrath, Senior Staff Officer, G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

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A resolution of sympathy was extended to the following:-

Patrick Mullin, O'Keefe Park, Glenamaddy, Co. Galway. Mrs. Camilla Freehill, Kill Kiltormer, Ballinasloe, Co. Galway. Hannon Family, Roo, Gort, Co. Galway. Joe Joyce (John), Lettercallow, Lettermore, Co. Galway. Mary Tierney, Portacarron, Oughterard, Co. Galway. Babe Bn Uí Thuairisg, Cor na Rón, Indreabhán, Co. na Gaillimhe. Pat Fahy & Family, Garbally, Menlough, Ballinasloe, Co. Galway. Nellie Walsh, School Road, Carnmore, Oranmore, Co. Galway.

CONFIRMATION OF MINUTES OF MEETINGS

675

The Minutes of the Special Meeting held on 18th March, 2011 were approved by the Council and signed by the Mayor on the proposal of Cllr. McDonagh, seconded by Cllr. Maher.

The Minutes of the Monthly Meeting held on 28th March, 2011 were approved by the Council and signed by the Mayor on the proposal of Cllr. Carroll, seconded by Cllr. Cuddy.

<u>REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND</u> <u>ADOPTION</u> 676

The Report of the Conamara Area Committee Meeting held on 30th November, 2010 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Tuairisg, seconded by Cllr. Welby.

The Report of the Conamara Area Committee Meeting held on 25th January, 2011 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Tuairisg, seconded by Cllr. Welby.

The Report of the Planning, Economic Development & Community SPC Meeting held on 9th December, 2010 was approved by the Council and signed by the Mayor on the proposal of Cllr. Carroll, seconded by Cllr. Noone.

The Report of the Roads & Transportation SPC Meeting held on 20th December, 2010 was approved by the Council and signed by the Mayor on the proposal of Cllr. Roche, seconded by Cllr. T. Walsh.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THEGALWAY RURAL WATER MONITORING COMMITTEE677

Report dated 12th April, 2011 was already circulated to each Member.

It was proposed by Cllr. McDonagh and seconded by Cllr. McHugh that Cllr. K. Ryan be nominated. As there was no further proposal in respect of this vacancy, the Mayor declared Cllr. K. Ryan appointed as a member of the Galway Rural Water Monitoring Committee.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE AUDIT COMMITTEE 678

Report dated 12th April, 2011 was already circulated to each Member.

It was proposed by Cllr. McDonagh and seconded by Cllr. T. Walsh that Cllr. T. Broderick be nominated. As there was no further proposal in respect of this vacancy, the Mayor declared Cllr. T. Broderick appointed as a member of the Audit Committee.

PROPOSED VARIATION OF THE COUNTY DEVELOPMENT PLAN TO INCORPORATE A CORE STRATEGY IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING & DEVELOPMENT ACTS 2000-2010 679

The Mayor invited Mr. Kelly to present the Core Strategy variation to the Elected Members. Mr. Kelly explained that it was a requirement of the Local Authority to adopt a Core Strategy in accordance with Section 7 of the Planning and Development (Amendment) Act 2010 and it must incorporate it into the current County Development Plan by way of a variation to the plan. The strategy seeks to distribute the projected population target of 15,760 as set out in the Regional Planning Guidelines across the settlements in the County and the result is broadly in keeping with the settlement strategy of the current plan. Following the adoption of the Core Strategy, there is a requirement to review the Local Area Plans to ensure consistency with the Core Strategy.

Mr. Kelly invited Ms McConnell to outline further the details of the Draft Core Strategy and the Variation to the County Development Plan. Ms. McConnell stated that the purpose of the Core Strategy was to show that the development objectives in the Development Plan were consistent, as far as practicable, with National and Regional development objectives set out in the National Spatial Strategy and the Regional Planning Guidelines. She added that Section 7 (a) of the Planning & Development Amendment Act 2010 requires that a Core Strategy shall be prepared not later than one year after the making of the Regional Planning Guidelines and shall accordingly vary the Development Plan under Section 13 to include the Core Strategy. Regarding the methodology, she explained that a significant part of the Core Strategy relates to the link between the National Spatial Strategy, the Regional Planning Guidelines and County Development Plans in the context of population growth and its distribution at National, Regional and local level.

She stated that in many respects, the Spatial Strategy as set out in Section 2 of the current County Development Plan incorporates much of what the Core Strategy is intended to deliver and that a hierarchy of settlements has been established with recognition of the variety of roles and services that different towns and villages and the rural areas can offer to people looking to settle in the County.

She explained that the 2010 Regional Planning Guidelines established target populations for the Galway Gateway and Tuam Hub with a residual overall Galway County population target to be distributed in a manner that recognised principles of sustainable development based on issues such as public transport links, investment in infrastructure and an overall cohesive strategic settlement strategy. She explained that these were set out at the top of Table A which is included in the document submitted to the Members

She added that the main elements in population distribution were population, household size (and therefore unit number requirement) and zoned land availability and explained that the proposed variation sought to ensure that the development and settlement strategy set out in Sections 2 and 3 of the County Development Plan were modified so that the planned distribution of population growth accords with the parameters set by the Regional Planning Guidelines. For that reason, Section 3 – Settlement Strategy now refers to additional population rather than house construction units.

Ms. McConnell outlined that the towns designated as Service Hubs in the County Development Plan were now classified as Key Towns while all other towns were categorised at Lower Tier Towns. The metropolitan satellite settlements were itemised differently to recognise the importance placed on the metropolitan area as a driver of growth associated with the Galway Gateway. She added that the towns which currently have Local Area Plans and consequently have lands zoned for residential purposes were listed in the proposed Core Strategy Table. All other settlements and the rural areas were combined to give an overall allocation.

She explained that the population allocations were derived based on allocating overall County population growth in a manner generally consistent with the settlement strategy already established in the County Development Plan. She added that the overall figure for the County should be consistent with the county figure set out in the West Regional Planning Guidelines.

She explained that by starting with the proposed population allocations for the various settlements, and using a general average household size of 2.6 persons, and variable density rates (units per hectare) depending on the settlement size, an approximate figure for required residential zoned land was derived for the listed settlements. This can be compared to the overall amount of undeveloped residential zoned lands currently available in these settlements.

Ms. McConnell also explained that the proposed Variation would be subject to the requirement to undertake a Strategic Environmental Assessment and Habitats Directive Assessment which were awaited and which might impact on the Strategy.

Ms. McConnell stated that if the variation is adopted, the Planning Department must commence the review of Local Area Plans which must be completed with 1 year of the adoption of the variation to ensure consistency between the Core Strategy as contained in the County Development Plan and the land use and other objectives as set out in each Local Area Plan.

Comh Ó Tuairisg requested that issues in relation to the unique housing patterns in Connemara and the amount of lands in Connemara under designated Environmental Sites be taken into consideration. He also requested Area meetings to discuss this document in more detail. Comh Ó Cuaig also referred to the extent of the Special

Areas of Conservation throughout Connemara and the possibility of moving the boundaries of these areas.

Mr. Kelly stated that during the public display period there would be further opportunities to discuss the Core Strategy and added that there had not been any changes to policies regarding rural housing or settlement patterns and no significant difference in the approach of the existing strategy.

On the proposal of Cllr. Maher and seconded by Cllr. McDonagh, it was agreed to put the Variation of the County Development to include the Core Strategy on public display.

PROPOSED VARIATION OF THE COUNTY DEVELOPMENT PLAN TO INCORPORATE A WIND ENERGY STRATEGY IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING & DEVELOPMENT ACTS 2000-2010 680

The Manager stated that the issue of renewable energy was very important and added that County Galway had one of the best wind resources in Europe. She stated that Galway County Council was trying to provide strategic direction to encourage renewable energy and to identify appropriate locations for wind energy development and in doing so it has taken account of the environmental, ecological and amenity requirements. The strategy gives clarity to investors of the more appropriate locations for wind energy development She added it was important to take advantage of this potential and encourage renewalable energy in appropriate locations. The Manager recommended that the Wind Energy Strategy for County Galway be put on public display

Mr. Martens was invited to present the County Galway Draft Wind Energy Strategy to the meeting. Mr. Martens informed the Members that the Draft Wind Energy Strategy will provide strategic direction to encourage renewalable energy and to guide the siting and design of wind energy development in appropriate locations within the County.

He proceeded to outline the following:

- 1. Background to County Galway Wind Energy Strategy
- 2. Aims of County Galway Wind Energy Strategy
- 3. Key Issues Considered
 - 4. Project Methodology
- 5. Wind Energy Potential and Targets in County Galway
- 6. Strategic Spatial Analysis and GIS
- 7. Strategic Wind Farm Development Areas
 - 8. Wind Energy Policies and Objectives
 - 9. Landscape Capacity for Wind Energy Developments
- 10. Development Management Guidelines for preparing a wind farm planning application and how it is assessed.
 - 11. Appendices and Supporting Documents including the SEA Environmental Report and the HDA Natura Impact Report

Mr. Martens also presented maps 5A to 5F which identify the strategic wind farm development areas throughout the County while also outlining the criteria for defining Strategic Wind Farm Development areas.

Cllr. D Connolly raised issues in relation to the Derrybrien Wind farm development, the current wind megawatt target of wind energy in the County and offshore wind energy

Comh O'Tuairsg raised concerns regarding the position of windfarms near the areas of high scenic amenity He also referred to the issue of community gain for local communities from developers of wind farm developments and the issue of locating wind turbines in forested areas.

Cllr. Finnerty referred to the exclusion of the Natura 2000 sites. He also referred to the idea of linking windfarm development to dairyfarm developments. Cllr. Welby welcomed the strategy but suggested it may be too late considering the extent of lands in the County designated as Environmental sites. He also referred to the importance of including for the provisions of service ducting, cables and transmissions lines during the upgrading of the N59 route so that the future development of electricity and windfarms is protected. Cllr. T. Mannion questioned the importance of this document as much of the County is not suitable for wind energy development.

Mr. Martens in response stated that all of the best practice has been fully taken into account within the Wind Energy Strategy. He added that the Development Management Guidelines are outlined fully in Section 5 of the strategy which included examination of ground structure and the technical assessment of land conditions of potential wind farm development sites.

In relation to the guidelines for separation distances for turbines in Wind farm developments Mr. Martens outlined that generally 500m was the preferred minimum separation distance from residential properties as outlined in Table WE11 of the Strategy.

In relation on offshore wind energy development, Mr. Martens stated that currently there is one application with the Department of Communications, Energy and Natural Resources for a site off the coast of Connemara which the WES is supportive of, but that it is important to note that, within the analysis carried out for the WES only certain parts of the West Coast were suitable for this type of development due to the slope in the seabed. However, it is an area out of the Council's control as it will be decided on by the Department.

Mr. Martens in response to landscape sensitivity issues explained that Landscape sensitivity Class 5- Unique and Class 4- Special areas are excluded as well as all Natura 2000 sites from the Strategic Wind Farm Development areas as outlined in the WES.

In response to the issue of Community gain Mr. Martens referred the meeting to Policy WE5 Community Consultation and Benefits in the WES. He also referred to Section 37G of the Planning and Development (Strategic Infrastructure) Act 2006 which provides for An Bord Pleanala to attach a condition requiring the construction

or financing of facilities or services for the local community in the area of the proposed development.

In response to Cllr. Finnerty's query on wind energy developments being linked to dairy farm developments etc, Mr. Martens referred the meeting to Objective WE8 in the Strategy which deals with small scale and micro generation wind energy projects.

In response to a query regarding the capacity of the approved Galway City to Screebe 110Kv line, Mr. Martens stated that the approved Screebe line may have the potential to take 170 to 180 megawatts of Wind Energy.

Cllr. Feeney enquired if all Natura 2000 sites were excluded or were each excluded subject to environmental checks and also if an SAC is excluded when the integrity of the SAC is comprised by any negative impacts of wind energy development.

In response to Cllr. Feeney, Mr. Martens stated that all Natura 2000 sites, Ramsar sites, National Parks and Nature Reserve are 'Not Normally permissible areas'. He added that Wind Farm Development will be discouraged in these areas unless project level AA and EIA can demonstrate to the satisfaction of the planning authority that environmental and other impacts can be successfully avoided, minimized and/or mitigated. Cllr. Feeney added that as there was such a large area of the County designated Environmental sites, were potential applicants for wind energy developments being given false expectations in relation to the success of planning applications.

Cllr. M. Connollly welcomed the proposed Wind Energy Strategy and added that any planning application providing wind energy should be treated favorably. The Mayor stated that the Environmental designated sites must be changed in order to gain full advantage of the Wind Energy Strategy for County Galway.

On the proposal of Cllr. Fahy and seconded by Cllr. M. Connolly, it was agreed to put the Variation of the County Development to include the Wind Energy Strategy on public display.

APPROVAL OF THE DRAFT WASTE BYE LAWS

681

Report dated 12th April, 2011 was already circulated to each Member.

Mr. Cullen referred to the report dated 12th April, 2011 stating that the Council has prepared Draft Waste Management Bye-Laws for the proper management of waste and for the prevention or control of environmental pollution.

He stated that the draft bye-laws were presented to the Environment and Water Services Strategic Policy Committee and the SPC agreed to present the draft bye-laws to the full Council for agreement. He sought the Members approval to proceed to public display of the bye-laws and if approved, the draft bye-laws will go on public display for a period of one month, followed by two weeks for receipt of submissions and the final bye-laws will then go back to the Council for adoption.

A discussion then took place and the Members made the following observations:

- The Members welcomed the draft bye-laws but some stated that the Council must be careful not to over regulate those who are law abiding. However, illegal dumping must be targeted.
- There does not appear to be anything in the bye-laws to require that all households account for their waste disposal. Some suggested that random visits to households should be arranged to check what method of waste disposal is being used.
- Communities should be commended for their work in carrying out cleanups in their areas and the Environment Section of the Council was complimented for providing the necessary equipment for these cleanups.

Mr. Cullen replied as follows:

- The bye-laws cannot cover all the issues raised by the Members in relation to litter prevention as the Waste Management Act 1996 2010 contains separate legislation in this regard.
- The Council is stepping up its campaign against illegal dumping and intends to continue serving notices on people found to be disposing of refuse illegally and further cctv systems are being provided around the county to help in this regard.
- Voluntary efforts by community groups and tidy town groups are excellent and the Council will continue to assist in the disposal of the waste collected by these groups.

On the proposal of Cllr. Mullins, seconded by Cllr. Finnerty, it was agreed that the Draft Waste Bye-laws be put on public display.

CONSULTATION ON PROPOSED CHANGES TO SPEED LIMITS ANDGUIDELINES FOR THE SETTING OF SPECIAL SPEED LIMITS682

Report dated 11th April, 2011 was already circulated to each Member

Mr. Gilmore presented the Report dated 11th April, 2011 to the Members. He stated that the Report was presented to the Roads & Transportation SPC at their meeting of 11th April, 2011 and the comments made by the Members of the SPC are also attached to the Report now before the full Council. He outlined the four proposed changes by the Department of Transport together with the comments of the SPC. He said that any comments of the full Council will be included in the communication to the Department of Transport which must be made by the end of April.

A discussion then took place, following which it was proposed by Cllr. T. Mannion, seconded by Cllr. Maher, and agreed, that the Report circulated including the comments of the SPC be sent to the Department of Transport.

Mr. Gilmore indicated that it was his intention to commence a review of the Special Speed Limit Bye-Laws immediately with the intention of having the review

completed by the 30th October 2011, in order to provide a response to the Department of Transport, however Mr. Gilmore advised that this was a challenging timeframe.

REPORT ON THE PERFORMANCE OF THE COUNTY GALWAY JOINTPOLICING COMMITTEE (JPC)683

Report dated 18th March, 2011 was already circulated to each Member.

On the proposal of Cllr. Hoade, seconded by Cllr. T. Mannion, it was agreed that the Report be noted.

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DRAFT ANNUAL REPORT 2010

The Draft Annual Report was circulated to each Member.

It was proposed by Cllr. Maher, seconded by Cllr. T. Mannion, and agreed that the Draft Annual Report 2010 be approved.

CONFERENCES

On the proposal of Cllr. T. Mannion, seconded by Cllr. Maher, attendance at Conferences was agreed.

Esperanza Enterprises – The Local Government Planning Service – 11th – 13th March – Silver Tassie Hotel, Letterkenny, Co. Donegal

Cllr. M Fahy

Association of County & City Councils Conference 2011 – Rebuilding confidence in urban & rural communities – 24th – 25th March – Tullamore Court Hotel, Tullamore, Co. Offaly

Cllr. M Maher, Cllr. J Mc Donagh, Cllr. T Walsh, Cllr. S Walsh, Cllr. M Hoade, Comh. T Ó Curráoin, Cllr. M Mullins

Rattoo Heritage Society – 20th Annual Kerry Environmental Conference – 7th – 10th April – Meadowlands Hotel, Tralee, Co. Kerry

Comh. T Ó Curráoin

Dept. of Environment, Heritage & Local Government – Planning & Development (Amendment) Act 2010 – 15th April – Douglas Hyde Lecture Theatre, Athlone I.T.

Cllr. L Carroll, Cllr. J Cuddy, Cllr. G Finnerty, Cllr M Hoade, Cllr. E Mannion, Cllr. S Walsh, Cllr. P Roche, Comh S Ó Tuairisg

Celtic Conferences – The Future of Local Politics – 15th – 17th April – Celtic Ross Hotel, Rosscarbery, Co. Cork

Cllr. P Hynes

MSB Events – Robert John Kane Energy Symposium 2011 – An international discussion platform to provoke debate on critical energy issues – 27th – 29th April – Ramada Hotel, Lough Allen, Drumshanbo, Co. Leitrim

Cllr. E Mannion, Comh. S Ó Laoi,

LAMA Spring Seminar 2011 – Economic Revival – A Role for Local Government – 29th – 30th April – Fairways Hotel, Dundalk, Co. Louth

Cllr. J Cuddy, Cllr. S Cunniffe, Cllr. M Hoade, Cllr. M Maher, Cllr. T Mannion, Cllr. J Mc Donagh, Comh. T Ó Curráoin, Cllr. K Ryan,

FLOODING UPDATE

686

Report dated 18th April, 2011 was circulated to each Member.

The County Manager presented the Flooding Update to the Members detailing the present position regarding the balance of Minor Works Schemes for which funding has been approved by the Office of Public Works.

She stated that the Council hopes to have a positive outcome shortly on recent submissions made to the OPW for flood relief works. She advised in relation to the Dunkellin Flood Relief Scheme that the first public consultation with the consultants is likely to take place during the first week in May.

The Members welcomed the Report.

FIX DATE FOR ANNUAL MEETING

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It was agreed that the Annual Meeting of the Council will be held on Friday 17th June at 2.00 pm.

MANAGERS BUSINESS

The County Manager informed the Members that from 2012 the administration of the Higher Education Grants Scheme will be centralized to the City of Dublin V.E.C. She stated that Galway County Council will continue to administer the scheme for new applicants in 2011 and will also continue to deal with current applications until their conclusion, i.e. while students currently receiving grants finish college.

The Members expressed the view that the proposed centralisation of the Higher Education Grant Scheme to Dublin City V.E.C. will cause great inconvenience to students and rather than making the scheme more efficient, it will have the opposite effect and third level education will suffer as a result. They outlined that the Council staff have great experience in dealing with grant applications and their wealth of knowledge and expertise should not be underestimated.

Cllr. Canney referred to the fact that the qualifying distance criteria for entitlement to the higher non-adjacent rate of grant will be changed from 15 miles to 28 miles, a measure which will take effect for all students, including mature students, from the start of the 2011/2012 academic year. He said that many students will not be able to continue in college as a result of this change and he proposed that the Council send the following resolution to the Minister for Education and Skills "that the Minister for Educations and Skills reverse the decision to increase the adjacent residency clause from 15 to 28 miles for Higher Education Grants". This proposal was seconded by Cllr. D. Connolly, and agreed.

MAYORS BUSINESS

Comh. Ó Tuairisg proposed "go n-iarrtar ar an Aire Oideachais gan moladh na Roinne Oideachais, go ndéanfaidh comhnascadh ar bhunscoileanna beaga, sé sin scoileanna faoi bhun 50 mac léinn a chuir i bhfeidhm. Bheadh fíor dhroch thionchar ag an moladh seo ar inmharthanacht ceantair tuaithe agus go mór mhór ceantair Gaeltachta mar a bhfuil 70% de na bunscoileanna faoi bhun 50 mac léinn agus d'fhéadfaí go mbeadh bunscoil a thugann oideachas trí Ghaeilge dhá chomhnascadh le bunscoil a mhúineann trí Bhéarla." This proposal was seconded by Cllr. Canney, and agreed.

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Mr. Kelly in reply to Cllr. Canney confirmed that the discretion available to the Council, in determining an appropriate response to minor issues arising from non-compliance with Planning, was restricted by the provisions of the Planning Acts.

In reply to Cllr. Welby, Mr. Gilmore agreed that whilst it was disappointing that a greater number of local contractors did not pre-qualify for the Framework of Contractors to undertake roadworks, the criteria and framework were determined by the National Roads Authority and the Council had no involvement in same.

Mr. Cullen in reply to Cllr D. Connolly confirmed that the Community Wardens were currently deputising for the Dog Wardens, whilst one Dog Warden was absence on sick leave and that an appointment of a further full time dog warden was imminent, providing 2 full time Dog Wardens.

In reply to Cllr. Carroll, Mr. Gilmore confirmed it was intended to proceed to advertise for the sponsorship of the maintenance of roundabouts within the next two weeks.

The Members requested that the issue of turf cutting be placed on the agenda for the next Council Meeting and this was agreed.

Mr. Cullen in reply to Cllr. E. Mannion confirmed that the approval of the Department of Environment, Community & Local Government was still awaited for the Costello Regional Water Supply Scheme.

The Mayor informed the Members that the County Secretary, Breda McDermott, will be retiring shortly and this is her last Council Meeting.

The Members expressed their gratitude to Ms. McDermott for the guidance and assistance she showed to them during her time as County Secretary. They said that her wealth of knowledge and experience will be sorely missed and they wished her a very long, happy and healthy retirement.

The County Manager also thanked Ms. McDermott and said that she undertook every portfolio assigned to her in the various sections of the Council she worked in with great efficiency and dedication and she wished her very well in her retirement.

NOTICE OF MOTIONS

NOTICE OF MOTION NO 16 - CLLR. M. FAHY

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The following reply was given:-

"An application may be submitted in accordance with the provisions of Section 254 of the Planning & Development Act to erect the relevant finger post signs.

In the event that the necessary consent is forthcoming and the signs are provided, the Council shall arrange for the installation of same at the appropriate locations."

NOTICE OF MOTION NO 17 - CLLR. M. FAHY

The following reply was given:-

"There are currently no plans for the installation of pedestrian lights outside Gort Post Office. The current pavement overlay works allowed for ducting facilities for control lights to be provided at a future date, further North on Crowe Street at the Loughrea/ Station Road/ Hawkins Corner/ Barrack Street junction."

NOTICE OF MOTION NO 18 – CLLR. M. FAHY

The following reply was given:-

"There are currently no plans to provide pedestrian lights on the N18 in Kilcolgan as part of the traffic calming scheme, which incorporates enhanced safety measures for pedestrians."

Criochnaigh an Cruinniú Ansin

Submitted, Approved + Signed 2 3RD MAY 2011 DATE

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON MONDAY, 28th MARCH, 2011

CATHAOIRLEACH:

Cllr. J. McClearn.

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, S. Canney, L. Carroll, D. Connolly, M. Connolly, J. Cuddy, Comh S O'Cuaig, Comh T. Ó Curraoin, Cllrs. S. Cunniffe, M. Fahy, G. Finnerty, M. Hoade, Comh. S. Ó Laoi, Cllrs. M. Maher, E Mannion, T. Mannion, T. Mc Hugh, J McDonagh, M. Noone, P. Roche, K. Ryan, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager, Messrs. K Kelly, J. Cullen, Directors of Services, G. Mullarkey, Head of Finance, M. Lavelle, E. Molloy Senior Engineer, B. McDermott. County Secretary, A. Comer, A. Farrell, M. Owens, Senior Executive Officers, P. Ó Neachtain, Oifigeach Gaeilge, R. O'Boyle, Staff Officer.

Thosaigh an cruinniú leis an paidir.

RESOLUTION OF SYMPATHY

638

A resolution of sympathy was extended to the following:-

Brian De Courcey, Main Street, Ahascragh, Co. Galway. Joe Lardiner, School Road, Carnmore, Co. Galway. John & Tina Lenihan, Gurrane, Belclare, Co. Galway Máire Bn Uí Chonghaile, Baile an Lisin, Inis Meáin, Oileáin Árainn, Co. na Gaillimhe. William Reilly, Dunmore Road, Glenamaddy, Co. Galway. Cis Molloy, Baurisheen, Oughterard, Co. Galway.

CONFIRMATION OF MINUTES OF THE FOLLOWING MEETING

639

Referring to the Minutes of the Monthly Meeting of 28th February 2011 Ms. Mc Dermott advised of a typo error on page 5 under item No. 620 "as presented to the July 2009 meeting" should in fact read "as presented to the July 2010 meeting". The minutes of the Monthly

Meeting held on 28th February 2011 were then corrected and approved by the Council and signed by the Mayor on the proposal of Cllr. McDonagh, seconded by Cllr. Hoade.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION 640

The Report of the Ballinasloe Area Committee Meeting held on 11th January 2011 was considered. It was adopted by the Council on the proposal of Cllr. T. Mannion, seconded by Cllr. D. Connolly.

The Report of the Oranmore Area Committee Meeting held on 11th October 2010 was considered. It was adopted by the Council on the proposal of Cllr. Carroll, seconded by Cllr. Cuddy.

The Report of the Corporate Policy Group Meeting held on 9th December 2010 was considered. It was adopted by the Council on the proposal of Cllr. Cuddy, seconded by Cllr. Fahy.

The Report of the Loughrea Area Committee Meeting held on 18th January 2011was considered. It was adopted by the Council on the proposal of Cllr. Fahy, seconded by Cllr. Willers.

Arising from the Minutes and in response to a query from Cllr. Willers regarding Loughrea Swimming Pool, Mr. Kelly confirmed that the proposed developer had indicated that he is still interested in proceeding with the project.

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 641

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

Gort na Rí Housing Estate, Athenry. Road commencing at its junction with the L3105 Raheen Road and traveling southwards for a total distance of 750m in the townland of Raheen, Athenry.

Electoral Area: Loughrea

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 642

On the proposal of Cllr. Willers, and 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.

Chestnut Grove Housing Estate, Loughrea. Road commencing at its junction with the L4213 at Cross Street, Loughrea and extending in a southern direction for a distance of approximately 52 metres in the townland of Loughrea.

Electoral Area: Loughrea

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 643

On the proposal of Cllr. D. Connolly, and seconded by Cllr. T. Mannion, the Council approved the declaration of the following road to be a public road, the statutory procedure having been complied with.

The Meadows Housing Estate, Mountbellew. Road commencing at its junction with the N63 in the townland of Barnwellsgrove and extending in a North Easterly direction for a distance of 147 metres in the townland of Barnswellgrove. The road subsequently runs in a North Westerly direction from this point for a distance of 37 metres in the townland of Barnswellgrove and ends outside house number 13. The road also runs in a South Easterly direction from the abovementioned point for a distance of 100 metres in the townland of Barnswellgrove and ends outside house number 24.

Electoral Area: Ballinasloe

TO CONSIDER A PROPOSAL UNDER SECTION 73 OF THE ROADS ACT 1993 TOEXTINGUISH A PUBLIC RIGHT OF WAY – THE LT 87334 IN THE TOWNLANDOF CORR COMMENCING AT ITS JUNCTION WITH THE R355 ANDEXTENDING FOR A LENGTH OF 355 LINEAR METRES644

Report dated 23rd March 2011 was already circulated to each Member.

On the proposal of Cllr. Mc Clearn seconded by Cllr. D. Connolly, it was agreed that Galway County Council, having complied with the requirements of Section 73(1) of the Roads Act 1993, hereby order that the public right of way over a section of the LT 87334 in the Townland of Corr commencing at its junction with the R335 and Extending for a length of 355 linear metres, be and is hereby extinguished.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.096 HECTARES OF LAND AT KILLSALLAGH, WILLIAMSTOWN, CO. GALWAY. 645

Report dated 15th February 2011 was already circulated to each Member.

On the proposal of Cllr. T. Walsh, seconded by Cllr. McHugh, the disposal of 0.096 hectares of land at Kilsallagh, Williamstown, Co. Galway to Mr. D. Duignan was approved.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 – EXTENSION TO KILMURVEY BURIAL GROUND, INIS MOR, CO. GALWAY 646

A Report on this item was already circulated to each Member

On the proposal of Comh. Ó Tuairisg, seconded by Comh Ó Cuaig, the extension to Kilmurvey Burial Ground, Inis Mor was approved.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE RIVER SUCKJOINT DRAINAGE COMMITTEE647

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Ryan was elected to the River Suck Drainage Committee.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE WEST REGIONAL AUTHORITY

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Ryan was elected to the West Regional Authority.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE COUNTY GALWAY VOCATIONAL EDUCATION COMMITTEE 6

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Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. Carroll, Cllr. Roche was elected to the County Galway Vocational Education Committee.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE REGIONALHEALTH FORUM REPRESENTATION650

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Cunniffe was elected to the Regional Health Forum Representation.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF FORUM CONAMARA

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. E. Mannion was elected to the Forum Conamara

FILLING OF 2 CASUAL VACANCIES ON THE MEMBERSHIP OF THE JOINT POLICING COMMITTEE 652

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Cunniffe was elected to the Joint Policing Committee.

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Comh Ó Laoi was elected to the Joint Policing Committee.

FILLING OF 2 CASUAL VACANCIES ON THE MEMBERSHIP OF THE ROADS &TRANSPORTATION STRATEGIC POLICY COMMITTEE653

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Cunniffe was elected to the Roads & Transportation Strategic Policy Committee.

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Cllr. Ryan was elected to the Roads & Transportation Strategic Policy Committee.

FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE CORPORATE& CULTURAL AFFAIRS STRATEGIC POLICY COMMITTEE654

Report dated the 22nd March, 2011 was already circulated to each Member

On the proposal of Cllr. McDonagh and seconded by Cllr. McHugh, Comh. O'Laoi was elected to the Corporate & Cultural Affairs Strategic Policy Committee.

TO APPROVE THE 2011 FIXED-TERM TENANT PURCHASE SCHEME FOR LONG STANDING TENANTS

Report dated 18th March, 2011 was already circulated to each Member

Mr. Farrell presented the report to the Members. Following a discussion it was proposed by Cllr. Hoade, seconded by Cllr. T. Walsh, and agreed to adopt the scheme.

APPROVAL OF COMMUNITY SUPPORT SCHEME 2011 (SUPPORT SCHEME FOR COMMUNITY BASED ECONOMIC DEVELOPMENT AND SUPPORT SCHEME FOR COMMUNITY BASED AMENITIES AND SERVICES

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Report dated the 21st March, 2001 was already circulated to each Member

It was proposed by Cllr. T. Mannion, seconded by Cllr. McDonagh, and agreed to adopt the scheme as presented. The Mayor and the Members thanked the staff and paid tribute to all the voluntary groups throughout the County

APPROVAL OF ARTS ACT SUPPORTS 2011

Report dated 15th March, 2011 was already circulated to each Member.

It was proposed by Cllr. T. Walsh, seconded by Cllr. Canney and agreed to adopt the scheme as presented. The Members paid tribute to the Arts Officer team pointing out that this scheme is a lifeline for many organisations in the County.

ANNUAL REPORT TO COUNCIL OF AUDIT COMMITTEE

The Members noted the Annual Report of the Audit Committee as circulated.

FIX DATE FOR APRIL MEETING

It was proposed by Cllr. McDonagh, seconded by Cllr. Cuddy and agreed to hold the April Meeting on Monday, 18th April, 2011

FIX DATE AND VENUE FOR MAY MEETING

It was proposed by Cllr. McDonagh, seconded by Cllr. Mc Hugh and agreed to hold the May Monthly Meeting in the Community Centre in the village of Killimor.

RURAL WATER GRANT ALLOCATION 2011

Report dated the 28th March 2011, was circulated to each Member

Mr. Cullen presented the report to the Members.

The total allocation is €18,398,500 of which €14,225,000 relates to the major DBO 2 project which is under construction at present. It is expected that the DBO contract will be completed during 2011 and will see a significant improvement in the quality of water for the participating group schemes. Other elements of the Rural Water Allocation include €2m for the take over of Group Schemes and €1m for upgrading of schemes where water quality is below the required standard. An allocation of €300,000 is included for schemes connecting to a public water supply. A modest allocation of €300,000 has been provided for new schemes and so it is unlikely that new schemes will commence in 2011 as there remains a number of commitments for schemes already commenced. With effect from 1st March 2011, the maximum grant per house applying to new group water schemes has been increased to €7,475.

It was proposed by Cllr. M. Connolly, seconded by Cllr. D. Connolly, and agreed that the following motion be sent to the Minister for the Environment, Community & Local Government "to allow the Council more flexibility in spending of the Block Grant Allocation for water. This could enable small new group water schemes, or small extensions to Group Water Schemes to go ahead where water quality and quantity remain an issue, in 2011".

FLOODING UPDATE

The Manager presented her report dated 21st January 2011 which had been circulated to each Member.

A number of issues were raised by the Members which were clarified by the Manager.

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CONFERENCES

It was proposed by Cllr. McDonagh, seconded by Cllr. T. Mannion, and agreed that the list of conferences placed before the meeting would be approved for attendance by the members as required.

Esperanza Enterprises - Charities Act 2009, Implications for the Voluntary Sector -18th - 20th February - Manor West Hotel, Killarney Rd., Tralee, Co. Kerry Cllr J McDonagh, M Fahy, P Hynes

Smart Marketing - A Guide to Effective Public Relations - 11th - 13th March - Falls

Hotel, Ennistymon, Co. Clare

Cllr. M Maher, M Connolly, P Roche

Celtic Conferences - How to be an Effective Chairperson - 1st - 3rd April - Celtic Ross Hotel, Rosscarbery, Co. Cork Cllr. M Maher

MAYORS BUSINESS

The Mayor confirmed that Cllr. Roche had handed in a letter resigning his position on the Galway Rural Water Monitoring Committee and therefore there will be a casual vacancy on the committee.

It was proposed by Cllr. Canney, seconded by Cllr. Fahy and agreed that "Galway County Council write to the Minister for Transport and request that the Department intervene in the M18/M17 project so that the project be commenced immediately. This project is vital for job creation and for the future development of County Galway".

It was proposed by Cllr. T. Mannion, seconded by Cllr. D. Connolly and agreed that "Galway County Council request the relevant officials from the Office of Public Works to attend the monthly meeting of Galway Council to discuss the Management and Access of Castles, Houses and other facilities in Galway County".

It was proposed by Cllr. E. Mannion, seconded by An Comh. Ó Laoi that "Galway County Council write to the new Minister for the Environment, Mr. Phil Hogan, in relation to both the Clifden and Oughterard Sewerage Schemes and move both projects forward in the interest of public health and local amenities. Both schemes are long overdue".

It was proposed by Cllr. Mannion, seconded by Cllrs. Hoade and Noone that "Galway County Council request the Department of Environment, Community & Local Government to restructure the method of collection of the Non-Principal Residence Charge (NPPR) to enable and facilitate part payment or payment by instalments. This proposal is being made in light of the present difficult financial situation many people now find themselves in. It was also agreed to forward this motion to all Local Authorities".

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Reference was made to the 60kph speed limit on some regional roads particularly the R336 and the R339 and the previous request for a further review of speed limits.

Mr. Lavelle said that the next review will involve an extensive consultation period with the public, An Garda Síochána and the National Roads Authority NRA and that it was anticipated that the process may start later this year.

The Manager asked Mr. Owens to brief the Members on correspondence received from the Department of Transport in relation to the setting of Special Speed Limits. Mr. Owens referred to the Road Traffic Act of 2004 and in particular the direction given to road authorities by the Minister for Transport under Section 9(9) of the Road Traffic Act 2004 that Council were obliged to consider in the context of determining special speed limits. He advised that revised Guidelines had recently been issued by the Department and that same were being circulated to the Members. In addition, he advised that the Department of Transport had recently commenced a consultation process on proposed changes to speed limits. He informed the members that the revised guidelines and proposals would be considered by the Roads & Transportation Strategic Policy Committee and thereafter a report would be presented to the April Monthly Meeting of Council.

Following a discussion regarding speed limits, specifically in relation to the R339 Airport Road it was proposed by Cllr. Cuddy, seconded by Cllr. Carroll and agreed that Galway County Council immediately start the process of having the speed limits between Carnmore Cross and the Ballintemple Road brought up to 80 Kilometers per hour.

It was proposed by Cllr. Roche, seconded by Cllr. Finnerty and agreed that "Galway County Council issue Warning Notices in local press, radio, newspapers in relation to the illegal dumping and the indiscriminate setting of fire on our bogs and gorse grass on high lands".

It was proposed by Cllr. Carroll, seconded by Cllr. Willers and agreed that "Galway County Council contact the Department of Transport to ascertain the most up to date situation on the Smart Travel Plan application which is a joint submission between the County Council and the City Council, and also the Loughrea Application".

In reply to an issue regarding the provision of a Dog Warden in East Galway Mr Cullen informed the members that the recruitment process was in train.

A vote of congratulations was extended to Clarinbridge Senior Hurling Club Champions & Killimor Senior Camogie Club Champions. It was agreed that a Reception be held at 6.00pm following the April Meeting of the Council for these teams in addition to the Caltra Cuans Ladies Team Junior Club Champions.

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NOTICE OF MOTIONS

NOTICE OF MOTION NO 28 - CLLR. B. WILLERS

The following reply was given:-

"The use of the Heritage Centre in Gort is currently the subject of consideration."

NOTICE OF MOTION NO 29 - CLLR. B. WILLERS

The following reply was given:-

"It is hoped that the difficulties pertaining to this site will be resolved shortly."

NOTICE OF MOTION NO 30 – CLLR. B. WILLERS

The following reply was given:-

"Galway County Council has been allocated €550,000 for the Energy Efficiency Programme for 2011. This will enable the upgrading of approximately 50 houses under the Scheme. The Department have given a clear indication that the concentration must be on void houses in order to bring them back into use and this will dictate much of where the spend is.

Where particularly vulnerable cases come to light the Council will, as is the practice, endeavour to address any issues within the resources available. It has been the practice under previous upgrading programmes to install smoke alarms in houses where they were not previously in place."

NOTICE OF MOTION NO 31 - CLLR. J. CUDDY

The following reply was given:-

"An increase in the speed limit on the R339 between Carnmore Cross and the Ballintemple Road will be considered in the context of the next review of the Special Speed Limit Bye-Laws."

NOTICE OF MOTION NO 32 - CLLR. J. CUDDY

The following reply was given:-

"The Council has discussed the acquisition of land adjacent to the existing burial ground with a local landowner. The landowner is not interested in selling the required land. The Council will continue to investigate a suitable site for a burial ground."

NOTICE OF MOTION NO 33 - CLLR. J. CUDDY

The following reply was given:-

"The funding required to meet the payroll costs of seasonal additional front line road staff is not available in the 2011 Roads Programme. Accordingly, in the absence of such funding, it is not possible to consider the employment of additional seasonal staff."

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NOTICE OF MOTION NO 34 - CLLR. M. FAHY

The following reply was given:-

"The Gort to Tuam Scheme is being advanced as a Non-Tolled Public Private Partnership. The National Roads Authority has informed Galway County Council that the preferred bidder for the scheme has been unable to complete the tendering process.

The National Roads Authority has confirmed their ongoing commitment to the project and are currently examining all available options in relation to the tender process."

NOTICE OF MOTION NO 35 - CLLR. P. ROCHE

The following reply was given:-

"A sum of €180,000 is allocated in the 2011 Roads Programme to facilitate verge trimming on local roads. It is intended to avail of this funding to undertake verge trimming on a priority basis, based on roads classification and to address locations of restricted visibility. There is currently no indication of additional funding being made available."

NOTICE OF MOTION NO 36 - CLLR. J. CUDDY

The following reply was given:-

"The distribution of the 2011 allocation for the N18 Oranmore to Gort Pavement Overlay, in the amount of \notin 400,000, is currently under consideration. It may prove possible to consider the allocation of a portion of same to facilitate works in Ardrahan, subject to the approval of the National Roads Authority and other priority requirements on the N18."

Criochnaigh an Cruinniú Ansin.

SUDMIHED, APPROVED + SIGNED

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18th APRIL 201

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COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, PROSPECT HILL, GALWAY ON FRIDAY, 18TH MARCH, 2011

CATHAOIRLEACH:

Cllr. J. McClearn.

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, S. Canney, L. Carroll, D. Connolly, M. Connolly, J. Cuddy, Comh S O'Cuaig, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Hoade, P. Hynes, M. Maher, E Mannion, T. Mannion, J McDonagh, M Mullins, M. Noone, P. Roche, S. Walsh, T. Walsh, T. Welby, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager, Messrs. K Kelly, F. Gilmore, Directors of Services, P. O'Neachtain, Oifigeach Gaeilge, Ms. R. O'Boyle, Staff Officer

Thosnaigh an cruinniú leis an paidir.

RESOLUTION OF SYMPATHY

A vote of sympathy was extended to Cllr. Mullins by the Members on the recent death of his father. The County Manager, on her own behalf and on behalf of the Staff also extended a vote of sympathy to Cllr. Mullins.

FILLING OF CASUAL VACANCIES IN MEMBERSHIP OF THE COUNCIL 637

Report dated the 9th March, 2011 was already circulated to each Member.

The Mayor stated that the purpose of the meeting is to fill the vacancies on Galway County Council that have arisen following the election to Dail Eireann of former Councillors Paul Connaughton, Colm Keaveney and Sean Kyne. Ms. McDermott confirmed that the written consent of the three candidates who were to be co-opted had been received in accordance with Article 19(5) of the Locat Government Act, 2001.

Minutes of Special Meeting held on 18th March 2011

It was proposed by Cllr. Mullins, seconded by Cllr. McDonagh and agreed that Mr. Kevin Ryan, Moylough, Ballinasloe be co-opted as a member of the Council following the election of Cllr. Connaughton to Dail Eireann.

It was proposed by Cllr. McDonagh, seconded by Cllr. T. Walsh and agreed that Mr. Sean Cunniffe, Ballygaddy Road, Tuam, be co-opted as a member of the Council following the election of Cllr. Keaveney to Dail Eireann.

It was proposed by Cllr. McDonagh, seconded by Cllr. E. Mannion, and agreed that Mr. Seosamh Ó Laoi, Baile an tSagairt, An Spidéal, be co-opted as a member of the Council following the election of Cllr. Kyne to Dail Eireann.

The Mayor and Members congratulated Councillors Ryan, Cunniffe and Ó Laoi on their election to the Council and wished them well.

The County Manager welcomed the new Members and said she looked forward to working closely with them and assured them of her support and the support of all staff of Galway County Council. She also extended congratulations to former Members, Connaughton, Keaveney and Kyne on their election to Dail Eireann.

The newly elected Members thanked their families and friends and said they looked forward to working with the other elected members and officials of the Council.

Referring to the proposed visit of President Obama to Ireland in May, the Members unanimously agreed that any effort made to bring him to Galway would be endorsed by them.

Chríochnaigh an Cruinniú Ansin.

Submitter, Approved + Signed

18th APRIL 201 DATE

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