

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY  
COUNCIL HELD AT ARAS AN CHONTAE, PROSPECT HILL, ON  
MONDAY 28<sup>TH</sup> JUNE, 2010**

**CATHAOIRLEACH:**

Cllr. J. McClearn

**I LATHAIR FRESIN:-**

**Baill:-**

Cllrs. T. Broderick, L. Carroll, P. Connaughton, 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, C. Keaveney, S. Kyne, M. Maher, E Mannion, J McDonagh, T. McHugh, M Mullins, 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, P. Ridge, Directors of Services, Mr. M. Dolly, Ms Maire Ni Chionna, Senior Engineers, G. Mullarkey, Head of Finance, Mr. A. Comer, Senior Executive Officer, Ms. M. Jordan, County Secretary. Mr. M. Owens, Senior Executive Officer, and Ms. R. O'Boyle, Staff Officer.

**Inland Fisheries Ireland**

Dr. Joe Claffey, Central Fisheries Board  
Mr. Greg Forde, C.E.O., Western Regional Fisheries Board.

Thosnaigh an cruinniú leis an paidir.

**RESOLUTIONS OF SYMPATHY:-**

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The Mayor, Members and County Manager extended sympathy to the family of the late Conor Morris. Cllr. McDonagh paid tribute to Mr. Morris who had been

**Minutes of Monthly Meeting held on 28<sup>th</sup> June 2010**

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Chief Executive Officer of the V.E.C. for over 15 years and had left a great legacy to the people of Galway.

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

Pat Keary, Cloonoo, Loughrea, Co. Galway  
Mr. & Mrs. John T Holland & Family, Fiddane, Ardrahan, Co. Galway  
Mr. & Mrs. Joe O'Sullivan & Family, Cahernamadra, Kinvara, Co. Galway  
Nonie Fitzgerald, Carrowreagh, Kilconnell, Ballinasloe, Co. Galway  
Barry Taylor, Liscune, Ballymacward, Ballinasloe, Co. Galway  
Michael Donohue, Bride Street, Loughrea, Co. Galway

**CONFIRMATION OF MINUTES OF THE FOLLOWING MEETING**

391

The Minutes of the Monthly Meeting held on the 24<sup>th</sup> May, 2010 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mc Clearn and seconded by Cllr. T. Walsh.

Arising from the Minutes and in response to a query by Cllr T. Walsh, Mr. Cullen stated that he had met with officials from the Department of the Environment, Heritage and Local Government and requested that Glenamaddy Sewerage Scheme be reinstated in to the Water Services Investment Programme.

The Minutes of the Annual Meeting held on the 14<sup>th</sup> June, 2010 were approved by the Council and signed by the Mayor on the proposal of Cllr. Maher, and seconded by Cllr. McHugh

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

392

The Report of the Corporate Policy Group Meeting held on the 7<sup>th</sup> September, 2009 was considered. It was adopted by the Council on the proposal of Cllr Keaveney, seconded by Cllr. D. Connolly

The Report of the Corporate Policy Group Meeting held on the 19<sup>th</sup> October, 2009 was considered. It was adopted by the Council on the proposal of Cllr T. Walsh, seconded by Cllr. McHugh

The Report of the Corporate Policy Group Meeting held on the 18<sup>th</sup> December, 2009 was considered. It was adopted by the Council on the proposal of Cllr. Cuddy, seconded by Cllr. McHugh

Minutes of Monthly Meeting held on 28<sup>th</sup> June 2010

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The Report of the Environment & Water Services SPC Meeting held on the 10<sup>th</sup> March, 2010 was considered. It was adopted by the Council on the proposal of Cllr. Maher, seconded by Cllr. D. Connolly.

Arising from the Minutes and in response to a query by Cllr. D. Connolly, Mr. Cullen confirmed that the spreading of sludge on lands at Fohenagh was being carried out in accordance with the Waste Management (Use of Sewage Sludge in Agriculture) Regulations 1998 and 2001. He also confirmed that he expected the proposed Sludge Management Plan would be put before the next meeting of the Water Services and Environment Strategic Policy Committee.

The Report of the Loughrea Area Committee Meeting held on the 13<sup>th</sup> May, 2010, was considered. It was adopted by the Council on the proposal of Cllr. Maher, seconded by Cllr. M. Connolly

The Report of the Ballinasloe Area Committee Meeting held on the 8<sup>th</sup> February, 2010, was considered. It was adopted by the Council on the proposal of Cllr. Mullins, seconded by Cllr. Connaughton.

The Report of the Ballinasloe Area Committee Meeting held on the 15<sup>th</sup> March, 2010 was considered. It was adopted by the Council on the proposal of Cllr. Mullins seconded by Cllr. Connaughton.

The Report of the Conamara Electoral Area Meeting held on the 17<sup>th</sup> November, 2009 was considered. It was adopted by the Council on the proposal of Comh O Cuaig, seconded by Cllr. Welby.

The Report of the Conamara Electoral Area Meeting held on the 16<sup>th</sup> February, 2010 was considered. It was adopted by the Council on the proposal of Comh O Cuaig, seconded by Comh. T. O Curraoin.

The Report of the Conamara Electoral Area Meeting held on the 10<sup>th</sup> March, 2010 was considered. It was adopted by the Council on the proposal of Comh O Cuaig, seconded by Cllr. Mannion.

**TO APPROVE THE ALLOCATION OF THE HERITAGE GRANTS 2010**

393

Report dated the 17<sup>th</sup> June, 2010 was circulated to each Member.

On the proposal of Cllr Keavaney, seconded by Cllr. Hoade, it was agreed that the Heritage Grants 2010 be approved.

The Members complimented the various heritage groups for the tremendous work they carry out on a voluntary basis and also acknowledged the work of the Council staff in processing the applications.

**TO APPROVE HIGHER EDUCATION GRANT SCHEME 2010/2011**

394

Report dated 21<sup>st</sup> June, 2010 was already circulated to each Member.

It was proposed Cllr. McDonagh, seconded by Cllr. McHugh and agreed that the Higher Education Grant Scheme 2010/011 be approved.

**DRAFT ANNUAL REPORT 2009**

395

Draft Annual Report had already been circulated to each Member.

On the proposal of Cllr. Maher, seconded by Cllr. Willers it was agreed that the Draft Annual Report 2009 be adopted by the Members

**IMPLEMENTATION OF WATER SERVICES INVESTMENT PROGRAMME 2010 – 2012**

396

The Manager referred to the report of the 24th May, 2010 which had been circulated.

She welcomed the recent publication of the Water Services Investment Programme by the Department of the Environment, Heritage and Local Government which indicated the intention to progress a number of very valuable schemes in County Galway. She said the total estimated funding for these scheme for the period is €130 Million, of which it is estimated that approximately €100 Million will be provided by Central Government. The balance of €30 M will, in accordance with the National Water Pricing Policy, be required to be provided by Galway County Council, over the three year period. She pointed out that this investment is most welcome in terms of meeting the compliance requirements associated with the provision of water and wastewater services, and ensuring that County Galway can facilitate continued growth and development. The challenge for Galway County Council is to generate the funding necessary to deliver the schemes.

She pointed out that Galway County Council is obliged to raise 30% of the cost. In the past this was met by development levies but due to a dramatic reduction in this area in 2009 it is necessary to borrow. A provision of €1.2 million was made in the budget to cover the borrowing costs. She also stated that the capacity to continue borrowing was questionable. She pointed out that based on the water pricing policy, it is the expectation that funding for the water services programme operation and maintenance (including the repayment of borrowing) would be met through charging the non-domestic customer with that proportion of the cost which is attributable to the non-domestic sector.

In 2010, the full implementation of the water pricing policy would require a combined charge for water and waste water services of €4.6 per m<sup>3</sup>. Our current charge of €2.17 represents less than 50% of the appropriate charge. The impact of this is that Galway County Council is providing a subsidy to the non-domestic sector. This must be funded from other sources and restricts the Councils capacity to fund other valuable services. The Roads Programme, in particular has suffered a substantial reduction in the last two years and any further reductions in funding available for maintenance and improvement will impact negatively on the quality of service and preservation of the asset.

Galway County Council finds itself in a difficult position regarding the implementation of the Water Services Investment Programme. Based on current water pricing policy, water charges for the non-domestic sector would need to increase by over 250% over the next three years. The current model of funding water services, in the current economic climate, simply does not allow for the generation of sufficient funds to meet the need outlined in the WSIP. Any further investment by Galway County Council must clearly consider the funding mechanism to be employed and the impact on the Council's capacity to deliver other essential services.

In response to a query by Comh O Cuaig, Mr. Cullen stated that he had met with the Consultant Engineer in relation to the Casla Regional Water Supply Scheme and that it remained a very high priority. In relation to the Remedial Action Programme for the Rosmuc Water Supply he said that he expected work to start shortly

Following discussions on the possibility of increased water charges, and the problems facing the Council in the provision of matching funding to implement the Water Services Investment Programme, it was proposed by Cllr. M. Connolly, seconded by Comh. O Cuaig and agreed that a letter be sent to the Minister for the Environment, Heritage and Local Government requesting him to meet a deputation from the Council.

#### VAT FOR LOCAL AUTHORITIES

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Report dated the 28<sup>th</sup> June, 2010 was circulated to each Member

Mr. Mullarkey advised that in light of a ruling by the European Court of Justice where a local authority is providing a service that is in competition with the private sector, it will be required to account for VAT on the service from the 1st July, 2010. He explained that in some cases the Council can increase charges to reflect the VAT change e.g. off street parking, acceptance of sludge, provision of photocopying etc. However, the situation in relation to the supply of housing will have a more significant impact on the Councils resources. Under the new legislation the Council will be obliged to account for VAT on any sales after the

1<sup>st</sup> July, 2010 and due to the current climate it will not be possible to increase the price of the houses by the VAT amount so the Council will have to absorb the VAT within the sale price. As the Council will have incurred the cost in providing the houses before the 1<sup>st</sup> July, 2010 it is not possible to reclaim any credits against this VAT liability.

In reply to a query with regard to the claiming VAT back, Mr. Mullarkey said the same would apply as with the private sector, but that expenditure incurred prior to 1<sup>st</sup> July cannot be reclaimed. He said that further discussions will take place with the Revenue Commissioners on the matter

**ANNUAL FINANCIAL STATEMENT**

398

Report dated 22<sup>nd</sup> June was already circulated to each Member.

In reply to queries from Members, regarding the collection of commercial water rates, Mr. Cullen said there was a difficulty with the figures as presented. He referred to the background to charging and difficulties that were experienced when charges were first introduced. He said the Council is playing catchup in this regard and issues such as leaks are still being addressed. The Council are liaising with consumers who are experiencing problems with payments. He also advised that the Council are moving into a situation where it has to take much stiffer action in regard to disconnection. After some further discussions on this item -

It was proposed by Cllr. Mullins, seconded by Cllr. Carroll and agreed that the Annual Financial Statement for the Year Ended 31<sup>st</sup> December, 2009 be adopted.

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

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

**PRESENTATION BY DR. JOE CAFFREY, CENTRAL FISHERIES BOARD**

399

Report dated 21st April, 2010 was already circulated to each Member

Ms. Maire NiChionna, Senior Engineer, introduced Dr. Caffrey of the Central Fisheries Board and Mr. Greg Forde, Chief Executive Officer, Western Regional Fisheries Board who gave a very informative talk and slide show on the history of the Lagarosiphon Major and the serious threat to our rivers and lakes. Among the issues raised were

- The Corrib's designation as a SAC, and pollution of same.

- Threat to salmon and trout
- Potential flooding
- Ongoing maintenance, and funding for same
- Maintain quality and improve going forward
- The likelihood of the weed growing back once removed.

The Mayor thanked the speakers for their very informative talk and following further discussion it was proposed by Cllr. Hoade, seconded by Cllr. T. Welby, and agreed that Galway County Council seek a meeting with the Minister for the Environment, Heritage and Local Government to discuss the serious threat to Lough Corrib from the spread of Lagarosiphon Major and call on him to allocate annual funding for the control and eradication of this invasive water weed. Lough Corrib is a Special Area of Conservation and is of fundamental importance to the economic and social life of the County

**FLOODING UPDATE**

400

Report dated the 28<sup>th</sup> June, 2010 was circulated to each Member.

It was proposed by Cllr. Mullins, seconded by Cllr. McDonagh and agreed to defer this item to the next Meeting.

**LEASING OF HOUSES SCHEME**

401

Report dated the 28<sup>th</sup> June, 2010 was circulated to each Member.

It was proposed by Cllr. Mullins, seconded by Cllr. McDonagh and agreed to defer this item to the next Meeting.

**MAYORS BUSINESS**

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The Mayor referred to the recent Review of Planning requested by Minister John Gormley, in six Local Authorities which included Galway County Council. The purpose of the review is to assess the application of planning legislation, policy and guidance within the planning control system at local level and the Minister requested Galway County Council to provide a response in this regard.

The Manager referring to her report which was circulated to the Members said that Galway County Council will co-operate fully with the planning review being undertaken by the Department of the Environment, Heritage and Local Government; She said the Council considers that its decision making process has regard to national and local policies in its determination of planning applications and that such determinations are exercised in a manner which reflects the proper planning and sustainable development of County Galway.

The Mayor thanked the Manager for her comprehensive report.

The Members stated their dissatisfaction at how Minister Gormley portrayed this review in the media. The Members said they had total confidence in the Planning Section of the Council and complimented the Manager for providing this very useful report. They said they were fully satisfied that the Planning System in Galway County Council is very transparent and makes its decisions in the best interest of the County.

The Manager thanked the Members for their positive support for planning staff. She said that the Planning system is one of the most transparent processes in the Public Service including an independent appeal to An Bord Pleanala. She is confident that the Planning System in Galway County Council is of the highest standard and stated that the staff of Galway County Council carry out their duties in relation to planning with the utmost integrity and professionalism, in an open and transparent manner.

It was proposed by Cllr Feeney, seconded by Cllr Kyne that the Traffic Management Policy be amended to allow the installation of yellow/double yellow lines and/or yellow boxes by agreement at Area Committee followed by adoption at the full Council meeting.

It was proposed by Cllr. M. Connolly, seconded by Cllr. Hoade and agreed that "the Council write to the Minister for Health asking her to take on board recommendations to the Joint Oireachtas Report by Dr. Elizabeth Cullen to Joint Oireachtas Committee, February, 2005. This Report was on behalf of the Irish Doctors Environmental Association (IDEA). This report from IDEA on Electro-Magnetic Reduction, called for new legislation and a Government Review of same. It was agreed also to circulate this letter to the Minister for the Environment, Heritage and Local Government.

It was proposed by Cllr. D. Connolly, seconded by Comh O Cuaig that Galway County Council, in response to the murderous activities by Israel against the international humanitarian aid flotilla and the continued preventing of supplies entering Gaza, wish to show our solidarity to the families of those murdered and wounded and salute the bravery of all the activists who run the gauntlet of Israeli terror to bring humanitarian supplies to those under blockade in Gaza. We call for the release of all the humanitarian vessels along with their cargos including the MV5 Rachel Corry which left Ireland with aid. Also a total lifting of the Blockade of Gaza. We are calling on the Irish Government to hold Israel to account for theses and other illegal actions at every opportunity.

#### **TRIBUTE TO MR. PAUL RIDGE, DIRECTOR OF SERVICES ON HIS FORTHCOMING RETIREMENT.**



The Mayor and Members said they would like to pay tribute to Mr. Paul Ridge, Director of Services, who will be retiring this week from the Council and said they wanted to thank him for his contribution to Galway County Council.

The Manager also paid tribute to Mr Ridge and said that he had overseen many major infrastructural developments in the County and without his interest and diligence these projects would not be at such an advanced stage. She thanked him for his service to Galway County Council. She wished him good health to enjoy his retirement and extended best wishes to him and his family in the future.

Mr. Ridge said he had enjoyed working with the Members and thanked them for their kind words. He also thanked the Manager and Staff of the Council

### NOTICE OF MOTIONS

#### **NOTICE OF MOTION NO 14 – CLLR. E. MANNION 403**

*The following reply was given:-*

“There is currently no funding available to facilitate the provision of a pedestrian crossing on Lower Market Street, Clifden. The provision of same will be considered in the context of future work programmes and competing priorities for available resources.”

#### **NOTICE OF MOTION NO 15 – CLLR. E. MANNION 404**

*The following reply was given:-*

“The road will be examined and a report made available on its suitability for taking in charge in the context of existing policy.”

#### **NOTICE OF MOTION NO 16 – CLLR. J. MCDONAGH 405**

*The following reply was given:-*

“Additional funding is required to complete the works at Cartymore Cross and such funds are currently being sought.”

#### **NOTICE OF MOTION NO 17 – CLLR. J. MCDONAGH 406**

*The following reply was given:-*

“This location will be considered in the context of the future review of the Road Traffic (Special Speed Limits) County Galway Bye-Laws 2010.”

**NOTICE OF MOTION NO 18- CLLR. J. CUDDY 407**

*The following reply was given:-*

“The existing Road Traffic (Special Speed Limits) County Galway Bye-Laws 2010 were implemented in April 2010. It will be necessary to consider the future review of the Bye-Laws in the context of competing demands, an extensive existing work programme and the availability of resources for both the preparation and subsequent implementation of revised bye-laws.”

**NOTICE OF MOTION NO 19- CLLR. J. CUDDY 408**

*The following reply was given:-*

“Galway County Council will write to the Department of the Environment, Heritage & Local Government requesting that the Clarenbridge Sewerage Scheme be reinstated to the Water Services Investment Programme.”

**NOTICE OF MOTION NO 20- CLLR. J. CUDDY 409**

*The following reply was given:-*

“This matter is currently under active consideration in the context of a county wide approach.”

**NOTICE OF MOTION NO 21 – CLLR. M. FAHY 410**

*The following reply was given:-*

“The relevant landowner should contact the Roads & Transportation Unit directly in order to facilitate appropriate consideration of his proposals.”

**NOTICE OF MOTION NO 22 – CLLR. M. FAHY 411**

*The following reply was given:-*

“The supplementary submission in relation to Ballinderreen Village is not confined to extending the speed limit but will consist of a broader proposal to address traffic calming and parking together with a revised speed limit. It is

currently anticipated that a proposal addressing these matters will be finalised for submission to the National Roads Authority in September.”

**NOTICE OF MOTION NO 23 – CLLR. M. FAHY** **412**

*The following reply was given:-*

“The Council has received a Design Review Report for the Kinvara Sewerage Scheme and it will be forwarded to the Department of Environment, Heritage & Local Government for approval by the end of July 2010. The Council cannot proceed to purchase a site for the Kinvara Sewerage Scheme until approval is received from the Department.”

**NOTICE OF MOTION NO 24 – CLLR. P. HYNES** **413**

*The following reply was given:-*

“This project will be considered for a future work programme in the context of available resources and competing priorities.”

**NOTICE OF MOTION NO 25 – CLLR. P. HYNES** **414**

*The following reply was given:-*

“Due to low level of maintenance funding available in the current year it is not proposed to prioritise these types of works and the Council would not propose to carry out the works outlined.”

**NOTICE OF MOTION NO 26 – CLLR. P. HYNES** **415**

*The following reply was given:-*

“As the cost of purchase of demountable dwellings has to be funded through internal resources and cannot be recouped from the Department of Environment, it is unlikely that the Council will be purchasing any new demountable dwellings in the current year. A Scheme house would perhaps be an alternative the applicant might consider.”

**NOTICE OF MOTION NO 27 – COMH. S. Ó TUAIRISG** **416**

*The following reply was given:-*

“Níl airgeadú ar fáil faoi láthair chun an obair seo a dhéanamh.”

**NOTICE OF MOTION NO 28 – COMH. S. Ó TUAIRISG**

417

*The following reply was given:-*

“Is mian liom a chur in iúl go bhfuil an droichead ar an píosa bóthar seo an-chiúin atá ar an mbealach go Máiméan. Níl aon airgead ar fáil dó seo.”

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

418

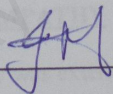
*The following reply was given:-*

“Fuair muid tuarascail ó chomhairleoir na Comhairle Contae le gairid mar gheall ar ábhair atá ag cuir as dó, agus tá an tuarascáil sin á mheas againn faoi láthair. Beidh muid i dteagmháil leis an Uasal O’Donoghue chomh luath agus is féidir chun na hábhair seo a phlé.

Beidh an Comhairle Contae ag cur an clúdach ar ais ar an bpoll iniúchta go gairid.”

**Chriochnaigh an Cruinniú Ansin**

Submitted, Approved + Signed



26th July 2010

DATE

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF ANNUAL MEETING OF GALWAY COUNTY COUNCIL  
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY, 14th  
JUNE, 2010**

**CATHAOIRLEACH:**

Mayor T. McHugh  
Mayor J. McClearn

**ILATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, L. Carroll, P. Connaughton, 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, C. Keaveney, S. Kyne, M. Maher, E. Mannion, T. Mannion, J. McDonagh, M. Mullins, M. Noone, P. Roche, Comh S. Ó Tuairisg, Cllrs. T. Walsh, T. Welby, B. Willers.

**Oifigigh:**

Ms. M. Maloney, County Manager; Messrs. J. Cullen, F. Gilmore, K. Kelly, Directors of Service; B. McDermott, County Secretary; A. Comer, M. Owens, Senior Executive Officers; M. Lavelle, Senior Engineer; G. Healy, Staff Officer.

**RESOLUTION OF SYMPATHY**

386

A resolution of sympathy was extended to the following:

Mr. Martin Gormally, Kilconnell, Ballinasloe, Co. Galway.  
Mr. Pat Mullens, Kilcreevanty, Tuam, Co. Galway  
Mr. Tom Fahy & Family, Kiltulla, Athenry, Co. Galway.  
Mr. Chris Kelly, Ballynahowna, Mountbellew, Ballinasloe, Co. Galway

**ELECTION OF MAYOR FOR YEAR 2010/2011**

387

Cllr. McHugh, outgoing Mayor, was in the Chair.

Cllr. McHugh stated that it was a great honour to be Mayor of the County and thanked Cllr. Willers, Deputy Mayor and the Members for their support throughout the year. He

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also thanked the County Manager, and staff for the courtesy and co-operation they showed him during his term of office.

He said that some very positive events took place during his term of office with the opening of the M6 Galway to Ballinasloe Road, the official opening of the Tuam Regional Office and Library and purchase of a new Mobile Library for the County.

On the negative side, he mentioned the severe flooding experienced in many areas of the County in November, 2009 and he praised the work of the Council staff, especially the outdoor staff, who worked beyond the call of duty in order to alleviate the suffering of those whose homes and businesses were flooded.

The Members paid tribute to Cllr. McHugh for his successful year as Mayor and stated that he was an excellent ambassador for the Council and the County during his term of office and had shown great commitment and leadership in all his duties as Mayor. The Members also paid tribute to Cllr. Willers in her role as Deputy Mayor during the period.

The County Manager thanked Cllr. McHugh on behalf of Management and staff for the co-operation and courtesy he displayed as Mayor of the County and complimented him on the excellent manner in which he represented the Council throughout the year when financial difficulties, the flooding crisis at the end of 2009 and the severe frost over Christmas made it very difficult for the Council to provide the necessary services to the public. She stated that the manner in which he had made himself available to communities during this time was commendable. She also said that he met the President of Ireland, the Taoiseach and Government Ministers during his term of office and relayed to them the needs of the County in the aftermath of the severe weather conditions.

She also thanked the Deputy Mayor for her work during the year.

The outgoing Mayor asked for nominations for the position of Mayor of the County of Galway for the year 2010/2011.

It was proposed by Cllr McDonagh, seconded by Cllr. Maher that Cllr. McClearn be elected Mayor.

It was proposed by Comh. Ó Cuaig, seconded by Cllr. Hynes that Cllr. D. Connolly be elected Mayor.

A vote was taken on these proposals which resulted as follows:-

### For Cllr. McClearn

Cllrs. J. Broderick, L. Carroll, P. Connaughton, J. Cuddy, P. Feeney, C. Keaveney, S. Kyne, M. Maher, E. Mannion, J. Mc Clearn, J. Mc Donagh, T. Mc Hugh, M. Mullins, P. Roche, T. Walsh, T. Welby, B. Willers (17)

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For Cllr. D. Connolly

Cllrs. D. Connolly, S. Ó Cuaig, T. Ó Curraoin, P. Hynes, S. Ó Tuairisg (5)

Abstained

Cllrs M. Connolly, M. Fahy, G. Finnerty, M. Hoade, T. Mannion, M. Noone (6)

Cllr. McClearn was then declared elected Mayor of the County of Galway for the year 2010/2011 and he was invested with the Chain of Office.

CLLR McCLEARN THEN TOOK THE CHAIR

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Cllr. McClearn thanked his proposer and seconder and the Members of the Council who supported his election as Mayor and said he was honoured and delighted to take up the position. He paid tribute to Cllr. McHugh for his dedication to his duties over the year.

The Members congratulated Cllr. McClearn on his appointment and wished him well during his term of Office. The County Manager on her own behalf and on behalf of the staff congratulated Cllr. McClearn on his election as Mayor of County Galway.

ELECTION OF DEPUTY MAYOR FOR YEAR 2010/2011

389

It was proposed by Cllr. McDonagh, seconded by Cllr. Broderick that Cllr. Cuddy be elected Deputy Mayor for the year 2010/2011.

It was proposed by Comh. O'Curraoin, seconded by Cllr. D. Connolly that Cllr. Hynes be elected Deputy Mayor for the year 2010/2011

A vote was taken on these proposals which resulted as follows:-

For Cllr. Cuddy

Cllrs. T. Broderick, L. Carroll, P. Connaughton, M. Connolly, J. Cuddy, P. Feeney, G. Finnerty, M. Hoade, S. Kyne, M. Maher, E. Mannion, T. Mannion, J. McClearn, J. Mc Donagh, T. Mc Hugh, M. Mullins, M. Noone, T. Walsh, T. Welby, B. Willers (20)

For Cllr. Hynes.

Cllrs D. Connolly, S. O'Cuaig, T. Ó Curraoin, M. Fahy, P. Hynes (5)

Minutes of Annual Meeting held 14th June 2010

The Mayor declared Cllr. Cuddy elected as Deputy Mayor of the County of Galway for the year 2010/2011 and he was invested with the Chain of Office.

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

The Members congratulated Cllr. Cuddy on his appointment and wished him well during his term of Office. The County Manager on here own behalf, and on behalf of the Management and staff of the Council, also congratulated Cllr. Cuddy

CRIOCHNAIGH AN CRUINNIÚ ANSIN

Submitted, Approved + Signed

AM

28th June 2010

DATE



**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT ARD RI HOTEL, TUAM, ON MONDAY 24<sup>TH</sup> MAY, 2010**

**CATHAOIRLEACH:**

Cllr. T. McHugh.

**ILATHAIR FRESIN:-**

**Baill:-**

Cllrs. T. Broderick, S. Canney, L. Carroll, P. Connaughton, D. Connolly, M. Connolly, J. Cuddy, Comh S O'Cuaig, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, P. Hynes, C. Keaveney, 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, Directors of Services, Messrs. E. Molloy, M. Dolly, M. Lavelle, Senior Engineers, G. Mullarkey, Head of Finance, Ms. B. Mc Dermott, County Secretary, M. Timmins, Senior Executive Officer, J. Leahy, Senior Executive Engineer, Messrs , B. Barrett, A.O., and Ms. R. O'Boyle, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

The Mayor welcomed everyone to Tuam.

The Members thanked the Mayor for the wonderful hospitality at the Ard Ri Hotel. The Mayor conveyed his thanks to all for their attendance in Tuam.

**RESOLUTIONS OF SYMPATHY**

355

A resolution of sympathy was extended to the following:-

Margaret & Brian Honan & Family, Crowe Street, Gort, Co.Galway.

**CONFIRMATION OF MINUTES OF THE FOLLOWING MEETING** 356

The Minutes of the Monthly Meeting held on the 26th April, 2010 were approved by the Council and signed by the Mayor on the proposal of Cllr. Mullins, and seconded by Cllr. T. Walsh.

Arising from the Minutes and in response to enquiries from the Members regarding the exclusion of the Glenamaddy and Clarenbridge Sewerage Schemes from the Water Services Investment Programme, Mr. Cullen advised that the Council will be meeting with the Department of the Environment, Heritage and Local Government to review the matter

In response to an issue raised regarding Item 333 of the Minutes regarding relocation following the November, 2009 flooding, the County Manager confirmed that in line with the proposal at the April Meeting, Galway County Council will be writing to the Office of Public Works requesting that they seek a relocation scheme from the Department of Finance for the small number of houses involved where it is found that there is no solution to flooding.

Responding to a query raised by Cllr. D. Connolly regarding a resolution passed by the Members at a previous meeting concerning insurance cover for flooded houses, Ms. McDermott confirmed that a response had been received from the Minister for Enterprise, Trade and Employment, indicating that this is an issue for the Minister for Finance and that the correspondence had been forwarded to him and a reply is awaited.

**REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION** 357

The Report of the Corporate Policy Group Meeting held on the 4<sup>th</sup> January, 2010 was considered. It was adopted by the Council on the proposal of Cllr. Keaveney, seconded by Cllr. Cuddy.

The Report of the Planning and Sustainable Development SPC Meeting held on the 8<sup>th</sup> February, 2010 was considered. It was adopted by the Council on the proposal of Cllr. McCleran, seconded by Cllr. Carroll.

The Report of the Loughrea Area Committee Meeting held on 15<sup>th</sup> March, 2010 was considered. It was adopted by the Council on the proposal of Cllr. Feeney, seconded by Cllr. Maher

The Report of the Loughrea Area Committee Meeting held on 22<sup>nd</sup> April, 2010 was considered. It was adopted by the Council on the proposal of Cllr. Willers, seconded by Cllr. Feeney

Arising from the Minutes Cllr. Fahy referred to Page 3 regarding the road near Cregaclare, Ardrahan which is in a dangerous condition and asked when repairs would be carried out.

The Manager in response advised that the Council is seeking to find a solution and is in contact with the land owner concerned.

**DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT, 1993** 358

A report was already circulated to each Member.

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

Road commencing at end of Local Road L53931 in the townland of Knockarasser and extending north for a distance of 400 metres in the townland of Knockarasser and finishing at McDonagh's house in the townland of Knockarasser.

**Electoral Area: Conamara**

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.021 HECTARES AT PAIRC NA hABHANN ATHENRY, CO. GALWAY.** 359

Report dated 4<sup>th</sup> May, 2010 was already circulated to each Member.

On the proposal of Cllr. Feeney, seconded by Cllr. Maher, the disposal of 0.021 hectares at No. 48 Pairc na hAbhann, Athenry Co. Galway was approved.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.4046 HECTARES AT LISOUGHTER, RECESS, CO. GALWAY.** 360

Report dated 7<sup>th</sup> May, 2010 was already circulated to each Member.

On the proposal of Cllr. E. Mannion, seconded by An Comh. O'Cuaig, the disposal of 0.4046 hectares at Lissoughter, Recess, Co. Galway was approved.

**FINANCIAL REPORT OF THE COUNCIL TO THE 30<sup>TH</sup> MARCH, 2010** 361

Report dated the 14<sup>TH</sup> May 2010 was circulated to each member

Mr. Mullarkey referred to the report as circulated to the Members and advised that the expenditure and income was broadly as expected and generally in line with the budget.

A number of issues were raised by the Members and responded to as follows:-

Mr. Kelly advised that there will be no additional funding for playgrounds this year as the Council is completing the programme already in place.

In relation to VAT charges, Mr. Mullarkey confirmed that a report in relation to same will be provided to the Members at the June Meeting.

The County Manager agreed that the new Leasing Scheme for Houses will be an item on the Agenda for the June Meeting.

### **FLOODING UPDATE**

362

The County Manager referring to the Report dated the 21<sup>st</sup> May, 2010 which had been circulated to the Members indicated that of the 85 applications submitted to the OPW for funding 18 had been approved for funding to date; however, she advised that a decision on funding for further applications is expected imminently.

In relation to requests for relocation she advised that Galway County Council and the OPW have carried out joint inspections at such locations and have verbally informed the homeowners concerned where there is no obvious solution. The OPW, Trim will formally notify those concerned in writing.

She also advised of the following significant areas where progress is planned and which is included in the Report:-

***"Ballinderreen/ Kiltiernan/ Caheradoo:** OPW seeking to develop a maintenance scheme on the existing private channel.*

***Mannin Cross:** This area is dependant on works being carried out on the Dunkellin River.*

***Tarmon/ Rathorpe:** Locals will require to regularise with NPWS works already carried out by them before an application for minor works can be made by Galway County Council.*

***Kiltartan/ Coole/ Corker:** The OPW will progress investigations into possible solution for replacement of culverts etc. Hydrologist advice will be sought.*

***Cregaclare:** Dependent on Dunkellin Study and it is hoped that the OPW will be in a position to commence works on the Dunkellin in 2010. OPW has removed blockages at Caherduff as a temporary relief measure pending the proposed Dunkellin works.*

**River Suck:**

*Consultants have been appointed for design and tendering of works at Derrymullen. A second application for funding for the actual works has been made to the OPW.*

*The design work has commenced and it is hoped to bring a Part 8 before Ballinasloe Town Council Members before end of July.*

*Discussions are ongoing in relation to the possible removal of the sluice gates.*

*Issues previously raised are receiving attention.*

**Dunkellin River:** *Consultants appointed to prepare a study on the Dunkellin River with a report due in early June (OPW).*

**Clare River:** *Consultants appointed to prepare a study on the Clare River with a report due in early June (OPW).*

**CFRAMS:**

*Catchment Flood Risk Assessment Management Studies to commence this year by OPW. The study of the river Shannon will be one of the first to commence and it is expected that the study of the Corrib will also commence this year. The Suck forms part of the Shannon River catchment."*

While some Members welcomed the programme of works circulated, others raised concerns at the lack of specific timeframes for the carrying out of the programme of works.

Mr. Dolly, in response, advised the Members that it is expected that all works approved for funding will be completed within the year if possible.

**ILLEGAL DUMPING**

363

Report dated the 26<sup>th</sup> April, 2010 had already been circulated.

Mr. Cullen referred to the Report and pointed out that the issue of illegal dumping has increased throughout the County, however, he said the Council does not have an exhaustive budget. He said it is hoped to bring in Bye-Laws before year end in relation to waste. The issue of Civic Amenity Sites was raised with the Members expressing the view that this service was under utilized.

With regard to a recent television programme relating to end of life tyres, Mr. Cullen stated that there was nothing amiss as far as Galway County Council is concerned and application had been made to the Environmental Protection Agency for an Article 11 declaration as required regarding the storage of the tyres.

He assured Members that Galway County Council remains committed to ensuring that issues of environmental concerns are addressed.

Some Members complimented Galway County Council on the recent "Clean Ups" in certain areas, and particularly the role of the Community Wardens in this regard, however, they pointed out that a survey needs to be carried out to find out how people are disposing of their waste. In addition they stated that there is too much emphasis put on the role of the Local Authority.

It was proposed by Cllr. M. Connolly, seconded by Cllr. T. Mannion and agreed that Galway County Council write to Minister Gormally to introduce competitive tendering for the collection of waste.

Many examples of illegal dumping were raised by the Members, and in response Mr. Cullen stated that the signal must go out to the public that there are no circumstances under which it is okay to carry out illegal dumping. He advised that Galway County Council will be ruthless in enforcement and will take it to the highest level.

**FIX DATE FOR JULY MONTHLY MEETING**

364

It was proposed by Cllr. Mullins, seconded by Cllr. McDonagh, and agreed that the July Monthly Meeting will be held on 26<sup>th</sup> July, 2010 at 11.00 a.m.

**IMPLEMENTATION OF WATER SERVICES INVESTMENT PROGRAMME  
2010 – 2012**

365

Report dated 24<sup>th</sup> May, 2010 was already circulated.

It was proposed by Cllr. Carroll, seconded by Cllr. McDonagh and agreed that this item be deferred until the next Meeting.

**SUSPENSION OF STANDING ORDERS.**

366

**On the proposal of Cllr. Canney, seconded by Cllr. Cuddy, it was agreed that the Standing Orders be suspended to allow the Meeting to proceed after 6p.m.**

**UPDATE TUAM HUB**

367

Mr Brian Barrett gave a briefing to the members on the Report circulated outlining the progress to date in developing Tuam as a Hub under the National Spatial Strategy. He gave some background as to where the priority issues for Tuam were derived from, the National Spatial Strategy Report and deliberations of the Tuam Hub Development Committee established in 2008. There is an extensive list of project areas in the report (27) and a varying range of progress on these has been made at this point as is outlined in the report. The next step is that the Tuam Hub Development Committee will meet in June

to review this report and identify the priority areas for the short-term future. Key areas identified in the report are:-

- The Full development of a fibre based Broadband Metropolitan Area Network
- The development of the M17 and bypass of Tuam
- The development of the Western Rail Corridor from Athenry to Tuam and Northwards to Claremorris
- The development of the Health Campus
- The development of Retail Services
- Continued investment in appearance and promotion of the Town

**MANAGERS BUSINESS**

**368**

In relation to the Galway City Outer By Pass the County Manager advised the Members that the Supreme Court Hearing has been set for the 2<sup>nd</sup> June, 2010 for the first hearing and the second hearing is scheduled for the following week

**MAYORS BUSINESS**

**369**

In response to a query raised by Comh O Cuaig in relation to the pre planning meetings for Conamara, Mr. Kelly said that the Council is undertaking a review of the pre-planning schedule for the entire County in order to attain the right balance.

It was proposed by Cllr. D. Connolly, seconded by An Comh. T. O'Curraoin, and agreed that Galway County calls on the Minister for the Environment, Heritage & Local Government to reverse the 8% Carbon Tax on agricultural diesel considering that petrol and commercial diesel had an increase of 4%. Especially as Agriculture is a carbon neutral activity

The Mayor relayed the contents of a response received from Minister O Cuiv supporting the Resolution passed by the Members at Council Meeting of 22<sup>nd</sup> March 2010, requesting the Minister to initiate schemes for unemployed young people.

It was proposed by Cllr. Cuddy, seconded by Cllr. Welby, and agreed that this Council gives its full support to the Western Development Commission whose future is under threat, and that the powers of the Commission should be strengthened for the good of the Western Region.

In response to a query raised regarding the staffing of Rinville Park, Mr. Kelly advised that the Council is actively working to put a solution in place without delay.

It was proposed by Cllr. Welby, seconded by Cllr Cuddy and agreed to invite the Central Fisheries Board to make a presentation to the Members at the June Meeting in relation to the Lagarosiphon Major (African Pond Weed) in the Corrib.

Cllr. McHugh stated that this was his last full Meeting as Mayor, and while it was a difficult year weather-wise for the Council, he had enjoyed his experience as Mayor during which time he had travelled all over the County.

**CONFERENCES**

370

On the proposal of Cllr. McDonagh, and seconded by Cllr. T. Mannion attendance at conferences was agreed.

**“Bray Chamber of Commerce – Our Towns – A 20:20 Vision – The role of Local Authorities in Strengthening our Town Centres – 5<sup>th</sup> – 6<sup>th</sup> March – Co. Wicklow Arts Centre, Main St., Bray, Co. Wicklow”**

Cllr. J McClearn, T Walsh

**“Dundalk Chamber of Commerce – Business Investment District Scheme (B.I.D.S.) Conference” – 11<sup>th</sup> May – Ballymascanlon Hotel, Dundalk, Co. Louth**

Cllr. J McDonagh, T Walsh, T Welby

**“Websites 4u – Business Investments Seminar” – 14<sup>th</sup> – 16<sup>th</sup> May – Lawlors Hotel, Poplar Square, Naas, Co. Kildare**

Cllr. Seamus Walsh

**“Seimineár Féiniúlacht, Cultúr agus Teanga i Ré an Domhandaithe” – 15<sup>th</sup> May – Davenport Hotel, Merrion Sq., Dublin 2**

Comh. S Ó Tuairisg

**“Pobal – Learning to develop more effective strategies to tackle urban disadvantage” – 19<sup>th</sup> May – F2 Centre, Reuben Plaza, Rialto, Dublin 8**

Cllr. T Broderick, P Hynes, M Fahy, S Ó Tuairisg

**“TGR Seminars – Being Positive in a Negative Climate” – 21<sup>st</sup> – 23<sup>rd</sup> May – Castlecourt Hotel, Westport, Co. Mayo**

Comh. T Ó Curráoin

**“Celtic Conferences – The Integration of Joint Policing Committees into the existing local authority structures” – 21<sup>st</sup> – 23<sup>rd</sup> May – Celtic Ross Hotel, Rosscarbery, West Cork**

Cllr. S Canney, S. Kyne, J. McClearn, P. Feeney, T. Walsh



**“Irish Public Bodies 84<sup>th</sup> Annual General Meeting” – 27<sup>th</sup> May – Burlington Hotel, Dublin**

Cllr J McDonagh

**“TJK Conferences – Defamation Conference for Councillors” – 28<sup>th</sup> – 29<sup>th</sup> May – Patrick Punch Hotel, Limerick**

Cllr J McDonagh, S Canney, T Walsh, J McClearn, C Keaveney

**“Esperanza Enterprises – Transformation of the Public Service, Insurance for the Public Service, will the Croke Park Deal deliver?” – 4<sup>th</sup> – 6<sup>th</sup> June – Carlton Hotel, Tralee, Co. Kerry**

Cllr. M Fahy, P Hynes, Jarlath McDonagh

**NOTICE OF MOTIONS**

**NOTICE OF MOTION NO 14 – CLLR. B. WILLERS**

**371**

*The following reply was given:-*

“The Council will examine the proposal to close the site permanently but has to consider the implications of this proposal as by closing the site permanently it may reduce the options available to the Council to deal with the unauthorised parking of mobile homes/ caravans in the hinterland of Gort should that situation arise.”

**NOTICE OF MOTION NO 15 – CLLR. B. WILLERS**

**372**

*The following reply was given:-*

“The design and procurement process to facilitate improvement works on the N66 is currently underway and it is anticipated that work will commence in July 2010.”

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

**373**

*The following reply was given:-*

“A development contribution has been received towards the cost of providing the footpath and on foot of same it is intended to commence discussions with the relevant landowners. Accordingly, subject to land acquisition, it is intended to provide a footpath to link Craughwell Village and the Railway Station.”

**NOTICE OF MOTION NO 17 – CLLR. J. MCDONAGH 374**

*The following reply was given:-*

“These works have been scheduled as of the week commencing 17<sup>th</sup> May 2010.”

**NOTICE OF MOTION NO 18 – CLLR. J. MCDONAGH 375**

*The following reply was given:-*

“The 2010 Roads Programme includes provision for Safety Measures to be undertaken at Corrandulla Cross in the current year.”

**NOTICE OF MOTION NO 19 – CLLR. J. MCDONAGH 376**

*The following reply was given:-*

“An examination of the extent of the works required for the Coolarne Drainage Scheme is ongoing with a view to preparing a submission to the Office of Public Works.”

**NOTICE OF MOTION NO 20 – CLLR. M. FAHY 377**

*The following reply was given:-*

“This road will be scheduled for routine maintenance/ repair with a view to undertaking such works in the coming weeks.”

**NOTICE OF MOTION NO 21 – CLLR. M. FAHY 378**

*The following reply was given:-*

“A preliminary estimate for improvement works to be undertaken on the Gortardrigan Bridge under the Local Improvement Scheme has been prepared. A final cost for the works will only be available following completion of the formal public procurement process. The applicants will be advised of the outcome of same in due course.”

**NOTICE OF MOTION NO 22 – CLLR. M. FAHY 379**

*The following reply was given:-*

“These roads in Ballylee and Dromore, Peterswell will be scheduled for routine maintenance with a view to undertaking such works in the coming days.”

**NOTICE OF MOTION NO 23 – CLLR. P. HYNES**

**380**

*The following reply was given:-*

“Extensive drainage works have been undertaken at this location in recent years, including the cleaning of the existing drain and the installation of gullies. If additional works are desirable this would be an appropriate project for the allocation of Notice of Motion Funding.”

**NOTICE OF MOTION NO 24 – CLLR. P. HYNES**

**381**

*The following reply was given:-*

“Works at these locations will be undertaken however as they are not specifically included in the 2010 Roads Programme, it will be necessary to limit such works to routine maintenance. The locations have also been noted for possible inclusion in the 2011 Roads Programme.”

**NOTICE OF MOTION NO 25 – CLLR. P. HYNES**

**382**

*The following reply was given:-*

“A briefing note setting out the current position on this issue was sent to Council & Oireachtas Members on 14<sup>th</sup> May, 2010. Copy is attached for your information.”

**NOTICE OF MOTION NO 26– COMH. S. Ó TUAIRISG**

**383**

*The following reply was given:-*

“Níl an tógra seo luaite sa chlár Measúnú ar Seirbhísí Uisce le haghaidh an treimhse 2010 – 2012 a cheadaigh an Comhairle Condae agus a cuiread faoi bhráid an Roinn Comhshaoil i Mí Deire Fomhar 2009. Da bhí sin, níl se luaite sa chlár infheistíochta na Seirbhísí Uisce atá ceadaithe anois ag an Roinn Comhshaoil le haghaidh an treimhse 2010 – 2012.

Beidh an Comhairle Condae ag déanamh breithniú ar an coras thuasluaite nuair a bheid muid ag cur an clár Measúnú ar Seirbhísí Uisce le haghaidh an tréimhse 2013 – 2015 le chéile sa mbliain 2012.”

**NOTICE OF MOTION NO 27- COMH. S. Ó TUAIRISG**

384

*The following reply was given:-*

“Níl aon mhaoiniú ar fáil faoi láthair don obair seo, é sin ráite, déanfar machnamh ar an obair seo a chuir san áireamh i gClár Droichid 2011.”

**NOTICE OF MOTION NO 28 – COMH. S. Ó TUAIRISG**

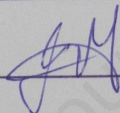
385

*The following reply was given:-*

“Beidh gach droichid ar Chlár na mBoithre críochnaithe i rith an tSamhraidh, roimh dheireadh mhí Iúil táthar ag súil ach ní níos déanaí ná tús mhí Mheán Fómhair de bharr rialacháin Iascaigh.”

**Criochnaigh an Cruinniú Ansin**

SUBMITTED, APPROVED + SIGNED



28th June 2010

DATE