

Manager's response and recommendation. She stated that the main issues raised were greater flexibility in the WES, and Commissioning and Decommissioning of wind farm developments. She added that the WES will provide for some flexibility in response to the issue although relocation beyond 20m will require planning and it was recommended that the following paragraph be inserted in Section 5.3.1 (a):

*Following a grant of planning permission and where site conditions require it, a wind turbine may be relocated to an optimum location within the application site, provided that the separation distances to site boundaries and other features are acceptable and subject to the prior written agreement of the Planning Authority. The extent of flexibility that may be considered acceptable will be site specific but will generally not exceed 20m. Any further changes in location beyond the agreed limits will require planning permission.*

In relation to commissioning and decommissioning of wind energy development, Ms. McConnell stated that it was proposed to increase the planning period from 20 to 25 years to be consistent with the typical time frame specified by An Bord Pleanála in recent planning applications and it was recommended that the following Section 5.3.2 (b) be amended to read as follows:

*The wind energy development shall generally be decommissioned and removed 25 years after the date of commissioning of the wind energy development unless, prior to the end of this period, planning permission has been granted for the continuation of the use of the land as a wind energy development for a further period in accordance with the prevailing legislation.*

*In the case of wind energy developments that are operating satisfactorily, the Planning Authority may consider extending the lifetime of the planning permission through a subsequent application for planning permission for the continuation of the use of the land as a wind energy development for a further period, subject to the requirements of the prevailing legislation at that time.*

***The Members agreed to accept the recommendation in the Manager's Report.***

#### **Submission No 9**

Ms McConnell outlined a summary of the main issues raised in Submission No 9 from the West Regional Authority, the Manager's Response and recommendations. She stated that the County Development plan and any Variation to the plan must also be consistent with the policies and objectives of the Regional Planning Guidelines for the West Region 2010-2000. She outlined the following changes to be made to the WES to incorporate the modifications recommended by the WRA.

It was recommended that following additional text be inserted in Objective WE9 in response to the provision of energy networks,

*The Council will support the provision of energy networks provided it can be demonstrated that:*

- *The development is required in order to facilitate the provision or retention of significant economic or social infrastructure.*
- *The route proposed has been identified with due consideration for social, economic, environmental and cultural impacts through relevant environmental assessment.*



- *The design is such that will achieve least environmental impact consistent with not incurring excessive cost.*
- *Where impacts are identified mitigation features have been included;*
- *Where it can be shown the proposed development is consistent with international best practice with regard to the materials and technologies that will ensure a safe, secure, reliable, economic and efficient, high quality network.*

In response to the issue in the submission regarding Natural Heritage Areas, Ms McConnell stated that it was recommended that the following new paragraph be inserted in Section 5.1.4,

*In addition, certain activities within these sites, such as the removal of peat or the excavation of borrow pits, may require ministerial or local authority consent as they can be considered as notifiable actions under the NHA Statutory Orders*

In response to the issue in the submission regarding the assessment of Environmental impacts and the preparation and implementation of an Environmental Management Plan (EMP), Ms McConnell stated that it was recommended that the following additional text be inserted in Section 5.2.2,

*The EMP should also include proposals in relation to annual monitoring procedures, particularly in the case of NHAs or Natura 2000 designated sites (see Section 5.2.4 (e) and 5.2.13).*

Ms McConnell stated that it was recommended that the following new paragraph be inserted in Section 5.2.3 regarding Natura 2000 Sites in particular Peat, Mire & Heath Habitats as follows:

*Particular care and management is required in relation to peat extraction and storage and best practice in construction and management is required for peat areas. A long-term Peatland Conservation and Management Plan (PCMP) should be submitted for developments on peatlands/boglands with details on the conservation, displacement, reinstatement and/or restoration of peatland habitats. This would either form part of any EIS/EMP prepared or should be submitted as a separate report as part of the planning application where an EIS or EMP is not required. A PCMP should be developed in consultation with NPWS, should contain considerations in relation to biodiversity (e.g. control of invasive species), drainage and degradation issues and should refer to IPCC 'Peatlands 2020 Conservation Plan: Halting the Loss of Peatland Biodiversity*

In relation to issues in the submission regarding Biodiversity, Flora and Fauna Ms McConnell stated that it was recommended that the following text be inserted into Section 5.2.4

*Other biodiversity issues should be considered where these are protected under Irish legislation, such as the 1999 Flora Protection Order and the provisions of the Wildlife Acts 1976-2000*

Ms McConnell stated that there were also textual amendments made to the text in response to issues in the submission in relation to Invasive Species and also to Shellfish Waters Pollution Reduction Programmes.



Ms McConnell also stated that textual amendments were also made in response to an issue in the submission relating to carbon loss from forestry clearance to facilitate wind energy developments

A discussion took place in relation to the restrictions of the Designated Environmental Sites for the wind energy industry. Comh. O'Tuairisg stated that the Special Areas of Conservation were restricting development in Connemara. Comh O'Cuaig stated that the EU designated areas appear to be more concerned with protecting the environment than protecting the people and communities that lived in these areas. He also stated that other counties have designated areas suitable for wind energy development with less wind speed than parts of East Galway because of the advancement in wind energy technology. Cllr. S.Walsh requested a meeting with the West Regional Authority to discuss the policy in relation to the Environmental Designations.

Cllr. Mannion stated that if only 2% of the County was designated as strategic areas for Wind Energy Development he questioned the significance of the WES. He added that it was a contradiction when the protection of the environment was preventing the development of green energy. Cllr. Welby stated that large tracks of land that would give the best wind energy in County Galway were excluded from the WES due to their location in the Environmentally designated areas.

Cllr. Canney stated that the WES was necessary as it provided a basis and clear guidance for developers of wind energy developments particular in the areas 'open to consideration' where businesses would be directed to the areas best suited for wind energy development. Cllr. McClearn stated that the local authorities were badly served by officials in the Department of the Environment as they failed to engage at European Level in relation to the EU environmental designations.

He added that if planning permission was given to wind farm developments in the 'not normally permissible areas' by Galway County Council, there were a lot of other groups that would appeal its decision to Bord Pleanala,

He added that in order not to mislead investors it was necessary to have a WES and added that the environmental designations cannot be changed by the Local Authorities. Cllr. Willers stated the Slieve Aughty area was designated a SPA which ruled out any type of wind energy development. She asked how other counties had dealt with this issue. Cllr E. Mannion stated that there were missed job opportunities in areas that are the best in the world for wind energy development due to the EU environmental designations. She added also that some of the restrictions were the 'landscape sensitivity and character areas' that Galway County Council decided on.

In response to the queries, Ms McConnell stated the Strategic Wind Farm designated areas outlined in the WES, where wind farm development would have a very strong chance of being successful depending on site specifics and proximity to the grid covers 20% of the County.

In relation to wind speed, Ms McConnell explained that the use of 8m/s wind speed for wind farms as been the most appropriate in terms of the economic viability of commercial wind energy projects in the WES was based on various sources and information from the Wind Industry. She added that 32% of the County was designated as Low Wind Speed Areas with



wind speeds of less than 8m/s that would generally not provide viable locations for commercial wind farm developments. Over 50% of the County had the potential for wind energy. She added also that with the advancement of technology that appropriate wind speeds can change. Ms McConnell also added that An Bord Pleanála were obliged to read the WES for County Galway but did not have to comply with it. Regarding the area of the Slieve Aughty Mountains, Ms McConnell stated that if at project level HDA and EIA can demonstrate that environmental and other impacts can be successfully overcome; wind farm development could be considered.

Cllr McHugh referred to Section 2 (Section 5.1.4 Natural Heritage Sites) and asked would local authority consent not be sufficient in relation to 'notifiable actions' that require ministerial consent. Ms McConnell confirmed that this was outside the scope of the Strategy and was covered under Environmental legislation.

***Following the discussion, the Members agreed to accept the recommendation in the Manager's Report in relation to Submission No 9.***

***Submission 1***

Ms McConnell outlined a summary of the main issues raised in Submission No 1 from the Health and Safety Authority, the Manager's Response and recommendations.

***The Members agreed to accept the recommendation in the Manager's Report.***

***Submission 2***

Ms McConnell outlined a summary of the main issues raised in Submission No 2 from the National Roads Authority, the Manager's Response and recommendations. The main issues raised related to the impact on National Roads and Guidance for Wind Turbines.

It was recommended that the following text be inserted into the WES, The Highways Agency Spatial Planning Advice Note SP12/09 may also be consulted as appropriate.

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 4***

Ms McConnell outlined a summary of the main issues raised in Submission No 4 from the Department of Arts, Heritage and the Gaeltacht, the Manager's Response and recommendations. The main issues raised related to Archaeological heritage, architectural heritage and nature conservation.

She stated that assessment and advice of the National Monuments Section, DoAHG will be sought in relation to Guidelines for Separation distances for turbines in Wind Farm developments from Archaeological Heritage features

***The Members agreed to accept the recommendations in the Manager's Report.***



**Submission 12**

Ms McConnell stated that a submission was received from the Department of Communications, Energy and Natural Resources stating that they have no comments to make at this time.

**Submission 23**

Ms McConnell outlined a summary of the main issues raised in Submission No 23 from An Taisce, the Manager's Response and recommendations. The main issues raised related to Environmental elements, policy and strategy, public consultation and decommissioning.

In response to recommendations in this submission, Ms McConnell stated that in relation to the Natural Heritage Areas it was recommended that the no part of the Connemara Bog Complex be included in the open for consideration designation and the WES (Sections 5.1.4 and 5.2.3) be amended accordingly

She added that in relation to the issue on Environmental Impact Statement it was recommended that the following paragraph be inserted in Section 5.2.2:

*In cases where additional plans are required for a particular development, for example the preparation and implementation of an Environmental Management Plan, a Surface Water Management Plan or an Inspection and Maintenance Plan, these plans must be drawn up and included within the EIS when the application is submitted*

In response to the issue on Wild Birds in Section 5.2.3 Natura 2000 sites and qualifying Habitats & Species, Ms McConnell stated that it was recommended that Section 5.2.3(a) be amended to read as follows:

*Yearly monitoring of wind farm developments associated with wind energy areas identified in the strategy should be undertaken by professional ecologists and funded by the relevant wind energy developer. The yearly monitoring of wild birds may be required for both pre and post construction of the wind farm and may be required until the end of the wind farm's operational life span. Monitoring shall be agreed with GCC and shall include consultation considered necessary with other relevant statutory bodies. The methodology, responsibility and rationale for this approach should be clearly outlined by the NPWS to assist developers.*

In response to the issue on the Lesser Horseshoe Bats in Section 5.2.3 'Natura 2000 sites and qualifying Habitats & Species' Ms McConnell stated that it was recommended that the word 'Bats' be substituted for 'Lesser Horseshoe Bats and also that the following text be included *A number of measures have been identified to ensure that any remaining adverse impacts to all bat species, including the lesser horseshoe bat, are avoided and mitigated. These measures are listed below:*

In response to the issues in the submission regarding turbine sizes and decommissioning, it was recommended that Section 5.3.2 (b) be amended to read as follows



*An annual monitoring programme will generally be required including details of bird usage, collisions and fatalities on the site. Annual monitoring may not be necessary in the case of certain small scale projects and/or those where bird impacts are unlikely.*

*A Decommissioning Management Plan may be required for wind farm developments to ensure that the site of the development is appropriately reinstated. This may be required as part of the planning application and/or EIS or it may be required by way of a condition of planning permission.*

It was also recommended that the following sub-section be inserted in Section 5.3.2:

***Replacement, Repowering and Redevelopment***

*Proposals for replacing existing turbines or for the repowering or redevelopment of existing wind energy developments will be considered in accordance with applicable legislation and policy. Such proposals will generally require planning permission, unless it can be demonstrated to the satisfaction of the planning authority that changes are of a sufficiently minor nature that they would not constitute a material change to the development and would not generate additional impacts.*

*Repowering and improvement of wind energy technologies will be encouraged, subject to detailed assessment of environmental and other impacts at project level and the inclusion of the necessary measures to address any impacts identified and the transportation and construction requirements of the new development.*

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 26***

Ms McConnell outlined a summary of the main issues raised in Submission No 26 from Clare County Council, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 27***

Ms McConnell outlined a summary of the main issues raised in Submission No 27 from Inland Fisheries Ireland, the Manager's Response and recommendations.

Ms McConnell outlined that it was recommended that the following points be inserted into Section 5.2.5 of the WES in response to issues raised in their submission regarding the Owenbolishka River.

*Wind energy development applications close to the Owenbolishka River or within the Owenbolishka River catchment will require consultation with the Inland Fisheries Ireland regional staff.*

*Wind farm developers will be encouraged to become active stakeholders in, and co-operate with, any catchment management initiatives relevant to their developments.*

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 3***



Ms. McConnell outlined a summary of the main issues raised in Submission No 3 from Galway Energy Agency Ltd, the Manager's Response and recommendations as follows. She stated that the mains issues raised related to wind energy categories, existing industrial sites, wind energy designations, grid connections and decommissioning. In response to the issue on Wind Energy categories Ms McConnell explained that it was considered that for the sake of greater clarity, the definitions provided for different categories of wind turbine sizes and wind energy development sizes be clearly stated in Section 1.4 and that greater clarity be provided as to which aspects of the WES guidance apply to which category of wind turbine or wind energy development.

In response to their issue on Existing sites, Ms McConnell explained that it was recommended that industrial estates and business parks be included under 'small-scale and micro generation wind energy development, Objective WE8 in the WES.

Ms. McConnell stated that the issue of Decommissioning was dealt with earlier under Submission No 3

Ms Mc Connell also referred to very large wind farm developments of more than 25 wind turbines and outlined that the Planning and Development (Amendment) Act 2010 stipulates that wind farm development with more than 25 turbines or greater than 50MW total power output were considered strategic infrastructure for consideration of Bord Pleanala under Planning and Development (Strategic Infrastructure) Act 2006

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 5***

Ms. McConnell outlined a summary of the main issues raised in Submission No 5 from Irish Wind Energy Association, the Manager's Response and recommendations.

She added that the main issues included wind speeds, designated sites and in particular potential energy output and targets where it was stated that there was considerable scope within the areas identified for the delivery of the wind energy targets set out in the Wind Energy Strategy

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 6***

Ms. McConnell outlined a summary of the main issues raised in Submission No 6 from Fuinneamh Gaoithe Teo, the Manager's Response and recommendations.

She stated that it was recommended to include a new section on replacement, repowering and redevelopment of existing wind energy developments in Section 5.3.2. as outlined earlier in Submission No 23.

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 7***



Ms. McConnell outlined a summary of the main issues raised in Submission No 7 from CDS Teo, the Manager's Response and recommendations. It was agreed to amend Objective WE8 to include facilitating where appropriate, small scale wind energy development projects by autoproducers in industrial estates and business parks.

Comh O'Tuairisg stated that there was an existing estate providing employment for over 100 people and that it was their intention to install wind turbines on or close to the estate but that the area was designated as 'not normally permissible'

Ms McConnell explained that objective WE8 was amended to cover areas like this.

***The Members agreed to accept the recommendations in the Manager's Report.***

#### ***Submission 8***

Ms. McConnell outlined a summary of the main issues raised in Submission No 8 from Corra Gaoithe Teo, the Manager's Response and recommendations.

Cllr Willers requested that the areas the subject of this submission be designated as a Strategic Area as all of East Galway is excluded from favoured status in the WES. Ms McConnell stated that the site forms part of the Slieve Aughty Mountains SPA which has been designated under the EU Birds Directive and that it therefore was not appropriate or consistent to designate the area as a Strategic Area.

***On the proposal of Cllr Willers and seconded by Cllr Feeney it was agreed to designate the lands the subject of submission No 8 from 'not normally permissible' to 'open for consideration'***

Mr. Kelly stated that this amendment may require additional HDA Assessment and that it would not be possible to adopt this amendment if this assessment was negative.

It was also pointed out to the meeting that Submission no 8 was inadvertently marked as No 7 on Map WE-6.

#### ***Submission No 10***

Ms. McConnell outlined a summary of the main issues raised in Submission No 10 from Lir Environmental Research Ltd, the Manager's Response and recommendations. In response to their issue on Community Wind farms MsMcConnell referred to Policy WE5 and objective WE8.

***The Members agreed to accept the recommendations in the Manager's Report.***

#### ***Submission 11***

Ms. McConnell outlined a summary of the main issues raised in Submission No 11 from E3 Energy Solutions, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report.***

#### ***Submission 13***



Ms. McConnell outlined a summary of the main issues raised in Submission No 13 from Geological Survey of Ireland, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 14***

Ms. McConnell outlined a summary of the main issues raised in Submission No 14 from Nicola Stronach, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report.***

***Submission 15***

Ms. McConnell outlined a summary of the main issues raised in Submission No 15 from Coillte, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report***

***Submission 16***

Ms. McConnell outlined a summary of the main issues raised in Submission No 16 from Seosamh and Máire Ó Giobúin, the Manager's Response and recommendations. She added that the main issues related to local impacts of the WES, public consultation, and areas designated acceptable in principle and strategic areas.

Comh O'Tuairisg acknowledged that the Planning Authority complied with the legislation in relation to public consultation but added that advertising two variations together was confusing for the public and he also referred to the fact that there were no public meetings held.

Mr. Kelly acknowledged that the more public consultation there is the better but added that in addition to complying with the requirements of the Planning Acts, public notices of the WES were in local newspapers and on local radio station.

***The Members agreed to accept the recommendations in the Manager's Report***

***Submission 17***

Ms. McConnell outlined a summary of the main issues raised in Submission No 17 from PJ Gaynor and others, the Manager's Response and recommendations.

***On the proposal of Cllr E. Mannion and seconded by Comh O'Tuairisg it was agreed to designate the lands the subject of this submission from 'not normally permissible' to 'open for consideration'***

***Submission 18***



Ms. McConnell outlined a summary of the main issues raised in Submission No 18 from Enerco Energy Limited, the Manager's Response and recommendations. She added that in response to site specific issues it was recommended to amend Section 5.1.3 to include the following:

Specific locations that are not within the Strategic, Acceptable in Principle or Open to Consideration areas in the WES but which may be suitable for wind energy development projects on a case by case basis based on robust project level investigation and environmental assessment, together with consideration of the scale and cumulative impact of the project, may be considered for additional wind energy development where environmental, landscape and amenity issues can be addressed to the satisfaction of the planning authority (refer to Objective WE4).

Ms McConnell also added that it was recommended that the 'Connemara Bog Complex NHA' be removed from Sections 5.1.4 and 5.2.3 as no part of the Connemara Bog Complex pNHA should be included in the 'open for consideration' designation in the WES as dealt with earlier under Submission 23.

***On the proposal of Cllr Feeney and seconded by Cllr Willers it was agreed that the lands at Shannagurraun, the subject of this submission and indicated on a map submitted to the meeting by Cllr Feeney be designated from 'Not normally permissible' to 'Open for Consideration'***

Ms McConnell advised the Members against taking a piecemeal approach to the Wind Energy Strategy. She added that the objective for this wind farm designation category in the WES was to allow for consideration of wind farm projects within this designation where project level EIA and HDA can demonstrate to the satisfaction of the Planning Authority that significant environmental impacts can be avoided or mitigated. She added that it was important to demonstrate that this Wind Energy Strategy works on a consistent basis.

***On the proposal of Cllr. Feeney and seconded by Cllr. Willers it was agreed to include the following additional wording to Objective WE4 after the final paragraph as follows:***

*"The approach taken to the compilation of the Wind Energy Strategy is based on a consistent and robust methodology which was not varied to take account of individual planning permissions which have been fully assessed under HDA. However, where any project has been granted planning permission following HDA assessment which shows that the project complies with the Habitats Directive and the Birds Directive, it is considered that this project is consistent with and in full compliance with this Wind Energy Strategy".*

#### ***Submission 19***

Ms. McConnell outlined a summary of the main issues raised in Submission No 19 from Údarás na Gaeltachta, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report***

#### ***Submission 20***



Ms. McConnell outlined a summary of the main issues raised in Submission No 20 from Aeolas Development, the Manager's Response and recommendations. She refers to the insertion of subsection in Section 5.3.2 titled 'Replacement, Repowering and Redevelopment'

***The Members agreed to accept the recommendations in the Manager's Report***

***Submission 21***

Ms. McConnell outlined a summary of the main issues raised in Submission No 21 from Gaol an Iarthar Teo, the Manager's Response and recommendations.

***The Members agreed to accept the recommendations in the Manager's Report***

***It was proposed by Cllr S. Walsh and seconded by Cllr Cuddy that the clarification that was recommended to be inserted in Section 5.2.7 of the WES also be inserted into Section 4.2 after the 1<sup>st</sup> paragraph.***

***On the proposal of Cllr. Feeney and seconded by Cllr. S. Walsh it was agreed to include the following additional wording to Objective WE2 after the final paragraph as follows:***

*"The approach taken to the compilation of the Wind Energy Strategy is based on a consistent and robust methodology which was not varied to take account of individual planning permissions which have been fully assessed under HDA. However, any project which was subject to a planning application which has been granted permission following assessment of all factors including landscape capacity, it is considered that this project is consistent with and in full compliance with this Wind Energy Strategy".*

***Submission 22***

Ms. McConnell outlined a summary of the main issues raised in Submission No 22, the Manager's Response and recommendations.

The main issues raised in their submission were regard to Wind farm areas, Natural Heritage Designations, Biodiversity, wind energy targets, access to transmission network, and wind energy auto-production

***The Members agreed to accept the recommendations in the Manager's Report***

***Submission 24***

The Manager declared a beneficial interest as a Director of EirGrid plc in Submission No 24 from Eirgrid and confirmed that she had disclosed this matter to the Mayor and had complied in full with the Statutory requirements under Section 178 of the Local Government Act 2001. The Manager further confirmed that her functions in relation to this matter have been delegated in full to Mr. Kevin Kelly, Director of Services and that she would neither influence nor seek to influence a decision of the Local Authority as regards the submission. The Manager absented herself from the meeting for the duration of the consideration of Submission 24.



#### Minutes Of Monthly Meeting on 21<sup>st</sup> July 2011

Ms. McConnell outlined a summary of the main issues raised in Submission No 24 from EirGrid, the Manager's Response and recommendations.

In response to their submission Ms. McConnell stated that Table WE6 Gate 3 Node Assignments for County Galway were amended in the WES.

#### ***The Members agreed to accept the recommendations in the Manager's Report***

Ms Mc Connell referred the meeting to a notice received by Galway County Council on the 21/06/2011 stating that Minister for Arts, Heritage and the Gaeltacht proposes to designate the Connemara Bog Complex as a SPA. She explained that this SPA (p SPA ) was comprised of 3 separate areas in southern and western Connemara and added that Appendix 3 included a map of the Connemara Bog Complex p SPA as provided by the Department.

She further added that the implications of the pSPA will also need to be assessed in the HDA and SEA and any recommendations or mitigation measures proposed in the HDA and the SEA will need to be considered for incorporation where appropriate into the WES prior to the adoption of the WES. She also outlined that if changes were required to the WES on foot of amendments to the HDA and/or SEA as a result of the recent pSPA designation, it may be necessary to have a further period of statutory public consultation if these changes were considered to constitute a material alteration of the WES.

#### ***It was proposed by Cllr D.Connolly and seconded by Cllr O'Curraoin that Section 5.1.5 Community Involvement and Benefit be amended to read as follows:***

*All wind farm developments shall require a Community Impact Statement (CIS) identifying the potential impact of the proposed development on the local community and proposals to address any impacts identified. The CIS will also include details of all measures taken to consult with the local community and any benefits that may arise or be provided for the local community as a result of the proposed development.*

#### ***On the proposal of Comh O'Tuairisg and seconded by Cllr S.Walsh it was agreed to amend the areas indicated by yellow shading on two maps submitted to the meeting by Comh O'Tuairisg from their current designation 'Acceptable in principle' to proposed designation of 'Not normally permitted'.***

Ms McConnell stated that the material alterations to the Wind Energy Strategy would go on public display for 4 weeks and that it should be on the agenda for the September or October Meeting of the Council.

Cllr. D. Connolly proposed that it should be a condition of the Wind Energy Strategy that wind farm developments with turbines over 60m to blade tip and comprising of over 10 turbines should contribute energy to the State's supply after a certain level of output is achieved. In response to this query Ms McConnell stated that this was not possible under the current Planning and Development legislation. On the proposal of Cllr D.Connolly and seconded by Cllr Canney it was agreed that this proposal be forwarded to the Minister.

#### **WASTE MANAGEMENT BYE-LAWS 2011**

767

Report dated 8<sup>th</sup> July, 2011 was already circulated to each Member.



Mr. Cullen stated that the Draft By-Laws as approved by the Members at the May Monthly Meeting of Council had been on public Display on the 13<sup>th</sup> May 2011, for a period of one month with a further two week period allowed for receipt of submissions, with no submissions being received.

It was proposed by Cllr. Hoade, seconded by Cllr. Cuddy and agreed to adopt the Waste Management Bye-Laws 2011

### **STUDENT GRANTS SCHEME**

768

Report dated the 22<sup>nd</sup> July, 2011 was already circulated to each Member.

Mr. Owens presented the Report and highlighted that the 2011 Student Grants Scheme was a single unified scheme with the benefit of a statutory basis in the Student Support Act 2011 and related Regulations. Mr. Owens highlighted the main changes in the 2011 Scheme and outlined the revised workflow process that was being put in place to facilitate the processing of grant applications.

Cllr. Canney referred to the removal of the automatic entitlement for Independent Mature Students to avail of the higher non-adjacent grant irrespective of their distance from college. He stated that this would impact on them as many had undertaken their course based on the level of grant funding available to them at the time and that it was not fair to so dramatically change their level of funding during their course. Cllr. M. Finnerty complimented staff on providing Information Workshops to facilitate applicants in obtaining one-to-one advice and assistance on the grant scheme and application process, whilst Cllr. Hoade complimented the variety of communication channels being made available for applicants to contact the Student Grant Scheme and highlighted that this level of service may not be available in future years through the single centralized awarding authority.

It was proposed by Cllr. Sean Canney, seconded by Cllr. M. Finnerty and agreed that

“Galway County Council write to the Minister for Education immediately to reverse the change in the non-adjacent grant for Higher Education and restore to the 2010 levels.”

### **DISABILITY STRATEGY**

769

Report dated the 22<sup>nd</sup> July, 2011 was already circulated to each Member.

Mr. Owens referred to report dated the 22<sup>nd</sup> July 2011 and highlighted the works undertaken to date by the Council in accordance with the County Galway Local Authorities Disability Action Plan 2007 – 2015.

Mr. Owens indicated that the withdrawal of central funding from the Department of Environment, Community & Local Government would significantly impact on the ability of the Council to deliver on the remaining actions in the Action Plan.

Following discussion it was proposed by Cllr. D. Connolly, seconded by Cllr. Broderick and agreed that ‘the Disability Action Plan will prominently appear on our Clár at the next Co



Council crinnú and that Councillors from the different groups would report then on progress that they may be aware of at the crinnú

In reply to Cllr. Carroll, Mr. Kelly confirmed that Galway County Council was meeting the 3% employment target as set out in the Disability Act 2005.

It was proposed by Comh. O'Tuairisg, seconded by Cllr. Welby and agreed that Galway County Council request Bus Éireann to make its buses accessible to disabled people.

**PRESIDENTIAL NOMINATION**

770

The Mayor advised the Members that correspondence had been received from applicants requesting the support of the Council for their nomination as a Presidential Candidate. Following discussion, it was proposed by Cllr. Ryan, seconded by Cllr. S. Walsh and agreed to holding a Special Meeting on Friday, 2<sup>nd</sup> September 2011 at 2.00 pm to facilitate the applicants in presenting to the Members.

**CONFERENCES**

771

Cllr. S. Walsh stated that as a Director in Esperanza Enterprises he was deemed to have a 'beneficial interest' in the item under consideration in accordance with Section 176 of the Local Government Act 2001, and having confirmed his compliance with the Statutory requirements under Section 177 of the Local Government Act 2001 withdrew from the Meeting for the duration of the consideration of the item.

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

**MacGill Summer School – Transforming Ireland 2011-2016: The First Hundred Days, The Next Five Years – 24<sup>th</sup> – 29<sup>th</sup> July – Glenties, Co. Donegal**

Cllrs J. McClearn, T. McHugh, T. Walsh, M. Connolly, T. Broderick, T. Ó Curráoin, T. Welby

**William Carleton Summer School – 1<sup>st</sup> – 4<sup>th</sup> August – Corick House Hotel, Clogher, Co. Tyrone**

Cllr. M. Connolly

**2011 Parnell Summer School – Equality Then & Now – 14<sup>th</sup> – 19<sup>th</sup> August – Avondale House, Rathdrum, Co. Wicklow**

Cllrs. J. McClearn, T. Walsh, M. Connolly, T. Mannion

**Esperanza Enterprises – Local Government promoting Renewable Energy – The Advantages of Solar Power – 19<sup>th</sup> – 21<sup>st</sup> August – Manor West Hotel, Tralee, Co. Kerry**

Cllr. M. Connolly



**Celtic Conferences – Enhancing Promotional Media & Microsoft Office Workshop – 2<sup>nd</sup> – 4<sup>th</sup> September – Celtic Ross Hotel, Rosscarbery, Co. Cork**

Cllr. P. Hynes

**A.M.A.I. 98<sup>th</sup> Annual Conference – 8<sup>th</sup> – 10<sup>th</sup> September – Knightsbrook Hotel, Trim, Co. Meath**

Cllrs. M. Hoade, T. Ó Curráoin, M. Maher, T. McHugh, J. McClearn, T. Mannion, P Hynes

**MANAGERS BUSINESS & CORRESPONDENCE**

772

Mr. Cullen advised the Members of the publication by the Minister for the Environment, Community & Local Government of a Review of the Water Services Investment Programme 2010 – 2012.

**MAYORS BUSINESS**

773

Cllr. P. Roche referred to the new Planning and Development Amendment Regulations which are coming into law particularly in regard to Wetlands, Callows whereby Planning Permission has to be obtained to carry out certain works.

Following a discussion on the matter it was proposed by Cllr. Roche, seconded by Cllr. Fahy and agreed that Galway County Council make a submission to the Minister Phil Hogan outlining our objection to the new law pertaining to the need to apply for Planning Permission for works on lands over 0.1% hectares. The law is overburdening and costly on the farming community and will cause undue hardship.

Comh O'Tuairisg referred to the success of Galway Athletes in the Special Olympics World Summer Games 2011. It was proposed by Comh O'Tuairisg, seconded by Cllr. S. Walsh and agreed to host a Civic Reception for the Galway Athletes.

Cllr. S. Walsh raised the issue of a right of way at Poinnte Pier and following discussion it was proposed by Cllr. S. Walsh, seconded by Comh O'Cuaig and agreed that the road at Poinnte Pier be made/recognized as a public right of way in charge of Galway County Council.

It was further proposed by Comh O'Curraoin, seconded by Cllr. D. Connolly and agreed that this Council act to protect Rights of Way in our County.

**NOTICE OF MOTIONS**

**NOTICE OF MOTION NO 20 – CLLR. B. WILLERS**

774

*The following reply was given:-*

“Consideration will be given to the inclusion of the junction of the L4219 with the R446 (old N6) in the townland of Roo, Craughwell, as outlined in the attached map as part of submissions from the Loughrea Engineering Area for funding under the Low Cost Remedial Measures Programme for 2012.”



**NOTICE OF MOTION NO 21 – CLLR. B. WILLERS**

775

*The following reply was given:-*

“Under the Roads Acts 1993 to 2007 there is an obligation on landowners to maintain the hedgerows fronting their properties to the public roads and ensure the hedges are not a hazard to persons using the public road. The issue of insurance is a matter for the machine owner/operator and they must ensure that they are covered under public liability.”

**NOTICE OF MOTION NO 22 – CLLR. P. HYNES**

776

*The following reply was given:-*

“This matter will be investigated and a reply on same will be issued directly to you.”

**NOTICE OF MOTION NO 23 – COMH. S. Ó TUAIRISG**

777

*The following reply was given:-*

“Is mian liom a chur in iúl go bhfuil an Comhairle Contae ag déileáil le Plean Tráchtá na Ceathrún Rua faoi láthair. Déanfar teangabháil leat nuair a bhéas dul chun cinn déanta ar an bPlean.”

**NOTICE OF MOTION NO 24 – CLLR. T. WELBY**

778

*The following reply was given:-*

“We have engaged with the local business community in Oughterard with a proposal and we are waiting on their feedback. We are currently preparing a priority listing for the provision of Traffic Management Plans in towns around the County & Oughterard and Moycullen will be considered within this listing.”

**CHRIOCHNAIGH AN CRUINNIÚ ANSIN.**

Submitted, Approved & Signed

Michael Maher

26<sup>th</sup> September 2011

DATE



**CHOMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON MONDAY 27<sup>th</sup> JUNE,  
2011.**

**CATHAOIRLEACH:**

Cllr. M. Maher

**I LATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, D. Connolly, M. Connolly, J. Cuddy, S. Cuniffée, Comh S O'Cuaig, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, E Mannion, T. Mannion, T. Mc Hugh, J McDonagh, J. Mc Clearn, 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. F. Gilmore, K. Kelly, E. Cummins, Directors of Service; M. Dolly, Acting Director of Service; G. Mullarkey, Head of Finance; M. Owens, County Secretary; A. Comer, Senior Executive Officer; L. Gavin, E. Molloy, Senior Engineers; M. O'Donnell, Ballinasloe Town Clerk; S. O'Heithir, G. Healy, Staff Officers.

Thosnaigh an cruinniú leis an paidir.

**RESOLUTIONS OF SYMPATHY**

731

Anne Mc Carthy, Kilbeacanty, Gort, Co. Galway

Mary Joyce & Family Cloughan, Kilchreest, Loughrea, Co. Galway.

Paul Kirwan & Family, Horseleap, Tuam, Co. Galway.

John Golding, Killaan, Woodlawn, Ballinasloe, Co. Galway.

**CONFIRMATION OF MINUTES OF MEETINGS**

732

The Minutes of the Monthly Meeting held on 23<sup>rd</sup> May, 2011 were approved by the Council and signed by the Mayor on the proposal of Cllr. McClearn, seconded by Cllr. M. Connolly.

Arising from the Minutes, Comh O'Tuairisg asked if the preliminary report on the review of the Fire Service had been completed. Mr. Cummins stated that he has recently taken over the role of Director of Services including responsibility for Emergency Services and he is



**Minutes of Monthly Meeting held on 27<sup>th</sup> June 2011**

currently considering the draft reports regarding the review of the Fire Service. He asked that the Members grant him an extension of three months before he brings his recommendation before them on the review of the service and this was agreed by the Members.

The Minutes of the Special Meeting held on 13<sup>th</sup> June, 2011 were approved by the Council and signed by the Mayor on the proposal of Cllr. Cuddy, seconded by Cllr. Fahy.

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

733

The Report of the Oranmore Area Committee Meeting held on 23<sup>rd</sup> February, 2011 was approved by the Council on the proposal of Cllr. Cuddy, seconded by Cllr. Broderick.

The Report of the Loughrea Area Committee Meeting held on 22<sup>nd</sup> February, 2011 was approved by the Council on the proposal of Cllr. Willers, seconded by Cllr. Fahy.

The Report of the Ballinasloe Area Committee Meeting held on 24<sup>th</sup> February, 2011 was approved by the Council on the proposal of Cllr. D. Connolly, seconded by Cllr. Broderick.

Arising from the Report, Cllr. D. Connolly referred to the deputation of Residents of Ballyeighter/Ballinue who were received at the Meeting and asked that the Council prioritise the junction of the old N6 at Ballyeighter.

The Report of the Tuam Area Committee Meeting held on 18<sup>th</sup> January, 2011 was approved by the Council on the proposal of Cllr. McHugh, seconded by Cllr. M. Connolly.

The Report of the Tuam Area Committee Meeting held on 23<sup>rd</sup> February, 2011 was approved by the Council on the proposal of Cllr. T. Walsh, seconded by Cllr. Hoade.

The Report of the Tuam Area Committee Meeting held on 21<sup>st</sup> April, 2011 was approved by the Council on the proposal of Cllr. Hoade seconded by Cllr. Roche.

**ANNUAL REPORT 2010**

734

The Draft Annual Report 2010 was agreed by the Members on the proposal of Cllr. T. Walsh, seconded by Cllr. Feeney.

**TO APPROVE THE ALLOCATION OF THE HERITAGE GRANTS 2011**

735

Report dated 17<sup>th</sup> June, 2011 was already circulated to each Member

Cllr. Willers complimented Ms. Mannion on the allocation of the Heritage Grants 2011 and stated that it was a wonderful achievement that every applicant for grant aid received some allocation.



Cllr. Hoade stated that the Heritage Grants give recognition to the invaluable work done by Heritage Groups throughout the County.

On the proposal of Cllr. Willers, seconded by Cllr. Hoade, it was agreed by the Members to approve the allocation of the Heritage Grants 2011.

**TO APPROVE A CONTRIBUTION TOWARDS THE OPERATION OF THE IRISH WATER SAFETY**

736

The Manager declared a beneficial interest and absented herself from the Meeting during consideration of the Item.

Report dated 27<sup>th</sup> June, 2011 was circulated to each Member.

Mr. Owens stated that Irish Water Safety is the statutory voluntary body established to promote water safety in Ireland and provides a wide range of services such as risk assessment services, provision of water safety promotional material and delivery of a water safety programme for primary school children. He stated that as there is no charge to local authorities for the services provided by the body, approval is recommended for the payment of a contribution of €6,000 to Irish Water Safety.

On the proposal of Cllr. Feeney, seconded by Cllr. McClearn, it was agreed by the Members to approve a contribution of €6,000 towards the operation of the Irish Water Safety.

**HOUSING ASSESSMENT UPDATE**

737

Report dated 27<sup>th</sup> June, 2011 was circulated to Each Member

Mr. Cummins presented to the Members the Report dated 27<sup>th</sup> June, 2011 summarising the Social Housing Assessment Regulations 2011 S.I. 84 of 2011 and the Social Housing Assessments (Amendment) Regulations S.I. 136 of 2011 which came into effect on 1<sup>st</sup> April, 2011.

He outlined the major changes brought about by the Regulations as follows:

- The Council will no longer provide a house for life and a variety of housing supports for applicants who are unable to rent or buy a property themselves will be considered instead. Approved applicants may be offered a council tenancy, rent supplement, the rental accommodation scheme (RAS), voluntary housing or accommodation under the long-term leasing scheme.
- All applicants for housing, including those already approved, will have to be re-assessed.
- The maximum income threshold bands are set by the Minister across the country and the threshold for County Galway is €30,000 net income. Income from all adults over 18 years of age in the house will be included. Some categories of income such as child benefit, carer's allowance, living alone allowance etc. will be exempt from the calculation.



**Minutes of Monthly Meeting held on 27<sup>th</sup> June 2011**

- There is now a statutory timescale for housing authorities to deal with applications. In general, the authority will have 12 weeks to make a decision on an application.
- There will be three elements to assessment: Eligibility, Need and Specific Accommodation Needs.
- The Affordable Housing Scheme and the Part 5 Scheme will be set down for the foreseeable future, but existing commitments to applicants will be honoured.
- The local authority will no longer provide single rural houses, except in exceptional cases.

The Members thanked Mr. Cummins for the information provided and they expressed their concern regarding the following:

- It appears from the Regulations that it will be more difficult for applicants to receive direct housing from the local authority
- Applicants who have already been approved for housing are to be re-assessed and may not qualify for housing under the new income threshold of €30,000
- Ceasing the provision of single rural houses will cause problems as a number of applicants have been approved for the provision of single rural houses and sites have been selected.
- Some members felt that the farming community will be disadvantaged as they will not be in a position to take up housing away from their farm should they be approved for housing.
- The fact that the 3100 approved applicants for housing must be reassessed will create a huge administrative burden for the staff of the housing department and Members asked that when writing out to the approved applicants regarding the re-assessment, the Council should word the letter so that approved applicants are made aware of the implications of not replying on time and that notification issue by registered post.
- If the number in the household decreases, tenants may be asked to move to a smaller house. This will cause distress to people and will not promote community spirit.
- Limiting rent supplement to 18 months will cause major problems for the long-term unemployed.
- People who are over the €30,000 income threshold but are not earning enough to obtain a mortgage will be at a major disadvantage if there is an upturn in the economy and rental prices increase.
- The problem of anti-social behavior causes worry to tenants

The Members stated that the new legislation came into effect without any consultation with local authorities and the only way forward is to work together with the Housing Staff and advise housing applicants on changes which will affect them. However, they suggested that the Council should honour its existing commitments in relation to housing provision.

Members asked why the Council is not carrying out repairs to vacant houses in order to make them habitable

Members asked if the Council would consider purchasing houses in the so called "ghost estates" for social housing.

The Members welcomed the statutory timescale of 12 weeks for processing and making a decision on applications.



Mr. Cummins replied to the points raised by the Members as follows:

- He acknowledged that the new Social Housing Assessment Regulations will bring major changes to the Council's approach to social housing but the Council has to abide by the legislation and has no discretion in this regard. He said that the number of new builds will decrease, but that a variety of housing supports for approved applicants will still be available such as rent supplement, rental accommodation scheme, voluntary housing, accommodation under the long-term leasing scheme and also council tenancy. He said that it must be acknowledged that there is a large number of privately owned houses available for rent throughout the county and this avenue must be considered by the local authority.
- The Council will take a reasonable approach in respect to tenants whose household number has decreased and will not transfer people to smaller houses without due consideration being given to their circumstances
- The Council intends to build a small number of single rural houses this year but has no alternative but to cease building any more single rural houses even though this will mean that some of those who were already approved will be disappointed.
- In relation to vacant Council houses, he said that the Council is putting in place a framework of contractors who, together with direct labour gangs, will carry out repair works to these houses over the coming months making them available for letting.
- The Council has been notified that the threshold for Galway is €30,000 and we have no control of this threshold
- The question of "ghost estates" is a complex matter and the Department of the Environment, Community & Local Government will have discussions with the National Assets Management Agency in the near future in this regard.
- In relation to anti-social behaviour, he said that the Housing Department has increased its focus on housing and estate management and housing tenancy management in an effort to nip anti-social behavior in the bud and staff are available to meet with tenants who are experiencing problems.
- He confirmed that existing tenants will not be re-assessed for housing under the new legislation

It was stated that this new legislation warrants further consideration and discussion and it was agreed that same would be placed on the Agenda for a future Meeting.

#### **REVISED ROADS PROGRAMME 2011**

738

Report dated 21<sup>st</sup> June, 2011 was circulated to each Member

Mr. Gilmore presented the Revised Roads Improvement Allocations for Non-National Roads 2011 to the Members, stating that the roads lists were already discussed at Area Meetings.

Some Members expressed concern regarding the allocation for verge trimming and following a discussion, Cllr. Fahy made the following proposal: "that a revised budget be made available to provide further funding for verge trimming in County Galway for 2011. The €180,000 that is allocated will only do token works in the county". This proposal was seconded by Cllr. M. Connolly and agreed.



On the proposal of Cllr. McClearn, seconded by Cllr. T. Mannion, it was agreed by the Members to approve the Revised Roads Programme 2011.

**PRIDE OF PLACE COMPETITION – 2011 NOMINEES**

739

Report dated 27<sup>th</sup> June, 2011 was circulated to each Member.

Mr. O'Heithir presented the Report on the 2011 nominees for the Pride of Place competition to the Members stating that the Pride of Place initiative is a competition which allows the local authority to acknowledge improvements made by local communities to create civic pride in their area.

The Members noted the Pride of Place Competition – 2011 nominees.

**FLOODING UPDATE**

740

Report dated 27<sup>th</sup> June, 2011 was circulated to each Member

The Manager outlined the Flooding Update to the Members stating that the vast majority of the works listed are underway and she commended the Office of Public Works for the excellent work done on the bridge at Claregalway.

The Members stated that great work is being carried out by the OPW in relation to flood relief and they welcomed the works which have been completed at Claregalway Bridge stating that little disruption to traffic was caused as a result

In reply to a query from Cllr. Finnerty, the Manager stated that the situation regarding re-location of families affected by flooding is entirely a matter for the Department of Social Protection, and agreed for the Council to contact the Department again on this issue.

In relation to the Shannon CFRAM Study, she said that the advisory group continues to meet and it is currently anticipated that CFRAMS for the West will go to tender in August/September 2011.

She also said that the area north of Craughwell will be looked at after works on the lower part of the river are completed

In reply to queries by Cllr. D. Connolly regarding Deerpark and Portumna and from Cllr. Cuddy who asked what proposals are envisaged for the Corrib and Claregalway, Mr. Gavin stated that these issues will be dealt with as part of the Shannon CFRAM and the Western CFRAM when it commences. The Western CFRAM is current being tendered and tenders will be received and assessed during the autumn.

In relation to Cllr. Feeney's query on the rail bridge, Mr. Gavin agreed to make contact with Iarnrod Eireann and enquire if they have any proposals to improve this bridge and bring flood relief to the area being affected.

Cllr. Noone asked about the proposed works at Crusheen bridge and was advised these works will commence in the autumn and road diversions will apply and he was also advised



that the proposed works at Lackaghbeg were postponed due to pressure of other works and this work will be completed in the autumn.

### **COMMERCIAL RATES**

741

Mr. Mullarkey presented the report on Commercial Rates to the Members and stated the following:

- He stated that rates are a local property tax levied on commercial premises and are to fund the shortfall between the Council's estimated income and estimated expenditure for the year and rates are necessary if the council is to maintain its current level of services.
- The rate charged for a property is arrived at by multiplying the property's rateable valuation by the annual rate on valuation.
- The rateable valuation of a property is determined by the Commissioner of Valuations and this office is independent of the local authority. Only the Commissioner can review or amend the rateable valuation of a property.
- The Valuations Office are currently carrying out a revaluation of all commercial and industrial properties in the state. So far only three local authorities have been assessed and it is not envisaged that Galway will be assessed in the near future.
- The annual rate on valuation is determined by the Council at the annual budget meeting and is a product obtained when the shortfall in Council income is divided by the cumulative total of all valuations of rateable premises in the county.
- The vast majority of businesses in the county pay €5,000 or less in rates and this category makes up 83% of all ratepayers.
- Of the 4,452 businesses paying rates, 3,685 are in the under €5000 category, 1,334 pay less than €1,000 and 1,200 less than €2,000.
- A reduction of 1% in commercial rates would only result in a saving of 38 cent per week for those whose rate bills are €10,000 per annum. 92% are in this category and will pay approximately €8m in 2011.
- Nearly €4m is paid in rates by large utility companies. This is collected on a national basis and distributed to local authorities.
- Galway Co. Council estimates that our rates claim for 2011 will amount to €23,639,451.

The Members welcomed the report stating that it provided concise and valuable information regarding the rating system. The general consensus was that while businesses have suffered during the economic downturn and some are finding it difficult to pay rates, it is beyond the powers of the Council to make changes as it is the Valuations Office who decided on the rateable valuations of premises.

Cllr. McHugh made the following proposal "that we invite a valuer from the Valuations Office to this county council for the purpose of explaining to the Members how valuations are compiled". This proposal was seconded by Cllr. Welby, and agreed.



**CONFERENCES**

742

Cllr. S. Walsh declared a beneficial interest in Conferences listed and absented himself from the Meeting during consideration of the Item.

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

**Celtic Conferences – European Union Funding & Functions – 17<sup>th</sup> – 19<sup>th</sup> June – Celtic Ross Hotel, Rosscarbery, Co. Cork**

Cllr. J McClearn, T McHugh, T Walsh

**Institute of International & European Affairs – A Flavour of the Future – The Challenges for Irish Agri-food in the Global Marketplace – 5<sup>th</sup> July – RDS, Ballsbridge, Dublin 4**

Cllr. T Broderick, T Welby

**Celtic Conferences – Time Management, Media & IT Skills – 8<sup>th</sup> – 10<sup>th</sup> July – Celtic Ross Hotel, Rosscarbery, Co. Cork**

Cllr. P Feeney, T McHugh, B Willers

**MANAGERS BUSINESS**

743

- Mr. Gilmore informed the Members that the documents circulated to them at the meeting were the details of the Part 8 Planning process underway on the advance work for the bridges on the N59 Oughterard to Clifden Scheme.
- In reply to Cllr. S. Walsh, Mr. Gilmore stated that planning works on the Oughterard new bridge is not being actively pursued at present.
- Mr. Mullarkey informed the Members that the Local Government Auditor has indicated that the Audit of the 2010 Accounts of the Council will begin on 8<sup>th</sup> July, 2011.
- In reply to Cllr. Cuddy, Mr. Gilmore stated that he will revert to him shortly regarding the situation on the Renville Road.
- In reply to a query from Cllr. Noone regarding ongoing problems with the water supply at Lackagh and Turloughmore, Mr. Dolly stated that serious leaks in the system will have to be identified by the group scheme but the Council will provide assistance in this regard. He said that the installation of meters in this area is underway.
- Cllr. S. Walsh proposed that the Council begin the process of making the road to Poinnte Pier (past Wallaces) a public road. This was seconded by Comh. O'Curraoin. Mr. Gilmore stated that this matter will be discussed at a forthcoming Conamara Area Committee Meeting



**Minutes of Monthly Meeting held on 27<sup>th</sup> June 2011**

- In reply to Cllr. Cuddy, Mr. Gilmore stated that the deadline for the Members to make submissions regarding the review of speed limits is 29<sup>th</sup> June, 2011.
- Mr. Dolly advised the Members of the approval to proceed with Costello Regional Water Supply Scheme and it was anticipated that tender documentation for same would be finalized in July 2011.

Cllr. D. Connolly referred to the discontinuance of funding by the Department of Environment, Community & Local Government of funding for the National Disability Strategy and the Council's Disability Action Plan 2007 – 2015.

It was proposed by Cllr. D. Connolly, seconded by Cllr. M. Finnerty and agreed that this matter be placed on the Agenda for the next Monthly Meeting.

**CORRESPONDENCE**

744

Mr. Owens referred to the acknowledgements and replies received to letters and Resolutions of the Council which were circulated to the Members, as follows;

- Reply dated 20<sup>th</sup> May, 2011 from the Minister for the Environment, Community and Local Government regarding the charge on Non-Principal Private Residences.
- Replies dated 31<sup>st</sup> May, 2011 from the Minister for Transport, Tourism & Sport regarding the Smarter Travel Areas Competition and the N17/N18 Gort to Tuam Road Project
- Acknowledgements dated 9<sup>th</sup> June, 2011 from the Minister for Transport, Tourism & Sport to the Council's Resolution regarding Galway Airport and opposing the transferring of the issuing of driving licences from Local Authorities to central Government.
- Acknowledgement dated 9<sup>th</sup> June 2011 from the Minister for Education and Skills regarding the Council's Resolution opposing the transferring of the processing of Higher Education Grants from Local Authorities to Dublin City Vocational Education Committee.
- Acknowledgement dated 16<sup>th</sup> June, 2011 from Galway City Council to the Council's letter regarding the proposed Bothar na dTreabh (N6) Multi-Modal Corridor Improvement Scheme.
- Correspondence dated the 31<sup>st</sup> May 2011 from Mary Davis seeking support as an Independent Candidate in the upcoming Presidential Election. It was agreed that option of supporting a candidate in the Presidential Election would be considered at the July Monthly Meeting.

**NOTICE OF MOTIONS**

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

745

*The following reply was given:-*

"There is no provision in the 2011 budget for the provision of public toilets at the aforementioned beaches. The matter of the provision of litter bins will be further considered within the context of available resources."



**NOTICE OF MOTION NO 16 – CLLR. E. MANNION**

746

*The following reply was given:-*

“This matter is currently under review and discussion with the local community.”

**NOTICE OF MOTION NO 17 – CLLR. E. MANNION**

747

*The following reply was given:-*

“An estimate is being prepared for remedial work at this pier, including lighting, but at present no funding is available for any works, other than minimal maintenance.”

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

748

*The following reply was given:-*

“The programme for the provision of new water services infrastructure is set out in the Water Services Investment Programme which is closely linked to the Council’s Water Services Assessment of Needs. There are numerous towns/ villages in the County that could make a case for a new sewerage system and in the context of the current Water Services Investment Programme a new scheme for Lackagh is not planned.”

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

749

*The following reply was given:-*

“Galway County Council will prepare a report on the suitability of this road for taking-in-charge. This report and a recommendation will be made available at a later date.”

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

750

*The following reply was given:-*

“Under Section 70 of the Roads Act 1993, it is the responsibility of the land owner to cut back and maintain hedges on the roadside. Verge trimming of Local Roads is funded by Galway County Council’s own funds. A limited allocation has been set aside for this purpose, which will be expended where it is considered most essential to do so. There is no further funding currently available from the Department to carry out these works.”

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

751

*The following reply was given:-*



Minutes of Monthly Meeting held on 27<sup>th</sup> June 2011

"The number of road traffic accidents, alignment and surface of the N67 road will be examined at this location and a report prepared with a view to making a submission to the NRA for funding, subject to it meeting the required criteria."

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

752

*The following reply was given:-*

"A funding allocation has been made available to repave the N18 at Ardrahan Village and part of the R347, which could be extended to include the Square. Ardrahan Tidy Towns Committee is currently in consultation with the Council regarding the enhancement of the layout of the Square. It is not possible, at this point in time, to confirm a completion date for all three projects which must be coordinated, but unfortunately, it will not be before the commencement of the tourist season."

**CHRIOCHNAIGH AN CRUINNIÚ ANSIN.**

Submitted, Approved + Signed

Michael Maher

21st July 2011  
DATE

**RESOLUTION OF SYMPATHY**

A resolution of sympathy was extended to the following:

Mrs Aine Uí Thuairis, Aille, Indreabhain, Co. na Gaillimhe

**ELECTION OF MAYOR FOR YEAR 2011/2012**

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

Cllr. McCleary stated that it was a great honour to be Mayor of the County and that he attended over 500 events in his capacity as Mayor. He thanked Cllr. Cuddy, Deputy Mayor and the Members for their support throughout the year. He also thanked the County Manager, and staff for the courtesy and co-operation they showed him during his term of office. He commended the Management Team and staff of the Council for the efficient manner in which they dealt with the problems caused by the severe snow and ice over the winter months.

The Members paid tribute to Cllr. McCleary for carrying out all of his duties as Mayor of the County with great commitment, distinction and professionalism. They stated that he was



**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF ANNUAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON FRIDAY, 17<sup>th</sup> JUNE, 2011**

**CATHAOIRLEACH:**

Mayor J. McClearn

Mayor M. Maher

**I LATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, S. Canney, L. Carroll, D. Connolly, M. Connolly, J. Cuddy, S. Cuniffe, Comh S O'Cuaig, Comh T. Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, 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. Maloney, County Manager; Messrs. F. Gilmore, K. Kelly, Directors of Service; G. Mullarkey, Head of Finance; M. Owens, County Secretary; A. Comer, Senior Executive Officer; G. Healy, Staff Officer.

**RESOLUTION OF SYMPATHY**

727

A resolution of sympathy was extended to the following:

Mrs Áine Uí Thuairisg, Aille, Indreabhain, Co. na Gaillimhe.

**ELECTION OF MAYOR FOR YEAR 2011/2012**

728

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

Cllr. McClearn stated that it was a great honour to be Mayor of the County and that he attended over 500 events in his capacity as Mayor. He thanked Cllr. Cuddy, Deputy Mayor and the Members for their support throughout the year. He also thanked the County Manager, and staff for the courtesy and co-operation they showed him during his term of office. He commended the Management Team and staff of the Council for the efficient manner in which they dealt with the problems caused by the severe snow and ice over the winter months.

The Members paid tribute to Cllr. McClearn for carrying out all of his duties as Mayor of the County with great commitment, distinction and professionalism. They stated that he was an



**Minutes of Annual Meeting held on 17<sup>th</sup> June 2011**

excellent ambassador for the Council and the County during his term of office and was always fair and courteous in the Council Chamber. The Members also paid tribute to Cllr. Cuddy in his role as Deputy Mayor during the period.

The County Manager thanked Cllr. McClearn 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 a challenging year with financial and budgetary pressures and the extended period of severe weather.

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

The outgoing Mayor asked for nominations for the position of Mayor of the County of Galway for the year 2011/2012.

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

It was proposed by Comh. Ó Cuaig, seconded by Comh. Ó Curraoin that Cllr. Canney be elected Mayor.

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

**For Cllr. Maher**

Cllrs. T. Broderick, L. Carroll, J. Cuddy, S. Cuniffe, P. Feeney, M. Finnerty, P. Hynes, S. Ó Laoi, M. Maher, E. Mannion, J. McClearn, J. McDonagh, T. Mc Hugh, M. Noone, P. Roche, K. Ryan, T. Walsh, T. Welby, B. Willers (19)

**For Cllr. Canney**

Cllrs. S. Canney, D. Connolly, M. Connolly, S. Ó Cuaig, T. Ó Curraoin, M. Fahy, S. Ó Tuairisg (7)

**Abstained**

Cllrs G. Finnerty, M. Hoade, T. Mannion, S. Walsh (4)

Cllr. Maher was then declared elected Mayor of the County of Galway for the year 2011/2012 and he was invested with the Chain of Office.

**CLLR MAHER THEN TOOK THE CHAIR**

729

Cllr. Maher thanked his proposer and seconder and the Members of the Council who supported his election and his family and friends for their support. He also paid tribute to Cllr. McClearn for his dedication to his duties over the year. He said he was honoured to take up the position and looked forward to representing the county during his term as Mayor of the County. He said he was very pleased that the Minister for the Environment, Community and Local Government had visited the Council in May when he announced that funding in the sum of €2.87m has been approved for the Milltown and Claregalway Sewerage Schemes and



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funding in the sum of €7m has been approved for the Clifden Sewerage Scheme. He said that he intended to work to ensure that further investment would be provided for services in the county during his term of office.

He highlighted the need to do more with less and the importance of community effort and support, as it was no longer possible for the Council to provide every service and lead every initiative. He stated that it was important for civic minded communities to engage and work with the Council to achieve more. He indicated his intention to focus on supporting job creation through various means including the County Development Plan, Wind Energy Strategy and the delivery of critical enabling infrastructure including water services and strategic roads projects.

The Members congratulated Cllr. Maher 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. Maher on his election as Mayor of County Galway.

**ELECTION OF DEPUTY MAYOR FOR YEAR 2011/2012**

730

It was proposed by Cllr. McDonagh, seconded by Cllr. McClearn that Cllr. Willers be elected Deputy Mayor for the year 2011/2012.

It was proposed by Cllr. D. Connolly, seconded by Cllr. Canney that Comh. Ó Cuaig be elected Deputy Mayor for the year 2011/2012.

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

**For Cllr. Willers**

Cllrs. T. Broderick, L. Carroll, M. Connolly, J. Cuddy, S. Cunniffe, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, S. Ó Laoi, M. Maher, E. Mannion, T. Mannion, J. Mc Clearn, J. Mc Donagh, T. Mc Hugh, M. Noone, P. Roche, K. Ryan, T. Walsh, T. Welby, B. Willers (24)

**For Comh. Ó Cuaig**

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

The Mayor declared Cllr. Willers elected as Deputy Mayor of the County of Galway for the year 2011/2012 and she was invested with the Chain of Office.

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

**CRIOCHNAIGH AN CRUINNIÚ ANSIN**

Submitted, Approved + Signed

Michael Maher

21st July 2011

Page 3 of 3

Date



**CHOMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL AT  
ARAS AN CHONTAE ON THE 13<sup>TH</sup> JUNE, 2011 AT 2.00 p.m.**

**CATHAOIRLEACH:**

Cllr. J. McClearn

**ILATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, S. Cunniffe, D. Connolly, M. Connolly, J. Cuddy, Comh S Ó Cuaig, T Ó Curraoin, Cllrs. M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S Ó Laoi, Cllrs. K. Ryan, M. Maher, E. Mannion, T. Mannion, J. Mc Donagh, T. McHugh, M. Noone, P. Roche, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh, T. Welby, B. Willers.

**Oifigigh:**

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

Thosnaigh an cruinniú leis an paidir.

**RESOLUTIONS OF SYMPATHY**

716

A resolution of sympathy was extended to the following:-

Ms. Mary Conroy, St. Josephs Court, Clifden, Co. Galway.  
Mr. Mark Loftus, Lettermullen, Co. Galway.  
Mrs. Sheila Casey, Knocknagreine, Ballinasloe, Co. Galway.  
Mrs. Nonie Moran, Ballybeg, Corrandulla, Co. Galway.  
Cllr. Matty Ganly, Cnoc Dunlo, Beál Atha na Slua, Co. na Gaillimhe.  
Mrs. Ann Walsh, Ballydonnellan, Corrandulla, Co. na Gaillimhe.

The Mayor called on Cllr. T. Mannion who proposed that a vote of Sympathy be extended to the family of the late Brian Lenihan, T.D. He said that Mr. Lenihan had showed great courage over the past 18 months for the good of the Country and the Irish People. He referred to the challenges he had faced personally and the huge contribution he had made to the political life of this Country. He said his passing was a huge loss to the Fianna Fail Party and especially to his Wife and Family. Cllr. J. McDonagh on behalf of the Fine Gael Party offered his sympathies to the Lenihan Family. He said Mr. Lenihan always had a friendly smile, and would be a huge loss to the Country. The Mayor and Members also extended their sympathies to the Lenihan Family.



The Manager, on her own behalf and on behalf of the Management and Staff joined with the Votes of Sympathy extended to the Lenihan Family.

Cllr. Dermot Connolly said he wished to extend a Vote of Sympathy to the family of Ms. Sheila Ganly, former Balliansloe Town Councillor. He said she was renowned for her honesty and hard work.

Cllr. Cuddy extended a vote of sympathy to Mr. P.J. McGovern, former Head of Finance with Galway City Council and current Chairperson of the Galway County Council Audit Committee, on the death of his brother Mr. William McGovern.

The Mayor, on behalf of the Fine Gael Party, and himself, thanked the Members and the Public who signed the book of Condolences for the late Dr Garret Fitzgerald in such large numbers. The Mayor also extended a vote of Sympathy to the family of the late Declan Costello former TD, Attorney General and President of the High Court.

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

**FILLING OF CASUAL VACANCIES IN MEMBERSHIP OF THE COUNCIL**

717

Report dated 7<sup>th</sup> June, 2011 was already circulated to each Member.

The Mayor stated that the purpose of the meeting was to fill the Casual Vacancy on Galway County Council arising from the election to the Seanad of Michael Mullins.

Mr. Owens confirmed that written confirmation had been received that the process leading to the selection of a candidate to fill the Casual Vacancy on the Council created by the election of Michael Mullins to Seanad Eireann had been completed in accordance with the requirements of Section 19(3) of the Local Government Act, 2001.

He also confirmed that the written consent of the candidate to be co-opted to the Council had been received in accordance with Section 19(5) of the Local Government Act, 2001

He further confirmed that the candidate was not disqualified from membership of the Council by virtue of Section 13 of the Local Government Act, 2001

It was proposed by Cllr. McDonagh, seconded by Cllr. McHugh and agreed that Mr. Michael Finnerty, Tobergrellan, Ballinasloe be co-opted as a member of the Council to fill the Casual Vacancy arising following the election of Michael Mullins to the Seanad.

The Mayor declared Mr. M. Finnerty co-opted as a Member of Galway County Council and was joined by the Members in extending congratulations and best wishes to Cllr. M. Finnerty on his co-option to the Council.

The County Manager on her own behalf and on behalf of the Management and Staff of the Council welcomed Cllr. M. Finnerty and said she looked forward to working closely with him and assured him of her support and the support of all staff of Galway County Council.

Report dated the 7<sup>th</sup> June 2011 was already circulated to each Member



Cllr. M. Finnerty thanked the Members for their support and expressed his delight on his return to the Council. Cllr. M. Finnerty congratulated Michael Mullins on his elevation to the Seanad.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF PLANNING & SUSTAINABLE DEVELOPMENT STRATEGIC POLICY COMMITTEE**

718

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh, seconded by Cllr. McHugh and agreed that Cllr. P. Roche be appointed as a member of the Planning & Sustainable Development Strategic Policy Committee.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF ROADS & TRANSPORTATION STRATEGIC POLICY COMMITTEE**

719

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh and seconded by Cllr. Maher that Cllr. McClearn be nominated to fill the casual vacancy on the Roads & Transportation Strategic Policy Committee. Cllr. Cuniffe expressed his disappointment at the nomination and outlined that it was his understanding that as the casual vacancy arose due to the election of Colm Keaveney to Dail Eireann the vacancy should, based on his understanding of a previous agreement, be filled by a representative of the Labour Party. As there was no further proposal in respect of this vacancy, Cllr. McClearn was appointed to fill the casual vacancy on the Roads & Transportation Strategic Policy Committee.

**FILLING OF CASUAL VACANCY OF THE CHAIR OF ROADS & TRANSPORTATION STRATEGIC POLICY COMMITTEE**

720

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. J. McDonagh seconded by Cllr. Maher and agreed that Cllr. McClearn be appointed as Chair of the Roads & Transportation Strategic Policy Committee.

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

721

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh, seconded by Cllr. M. Finnerty and agreed that Cllr. Ryan be appointed as a member of the County Galway Vocational Education Committee

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE REGIONAL HEALTH FORUM REPRESENTATION**

722

Report dated the 7<sup>th</sup> June 2011 was already circulated to each Member



Minutes of Special Meeting held on 13<sup>th</sup> June 2011

It was proposed by Cllr. McDonagh, seconded by Cllr. T. Walsh and agreed that Cllr. M. Finnerty be appointed as a member of the Regional Health Forum Representation.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE LOCAL AUTHORITY MEMBERS ASSOCIATION (LAMA)** 723

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh, seconded by Cllr. Feeney and agreed that Cllr. McHugh be appointed as a member of the Local Authority Members Association (LAMA) Committee.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF THE WEST REGIONAL AUTHORITY** 724

Report dated 7<sup>th</sup> June, 2011 was already circulated to each Member.

It was proposed by Cllr. McDonagh, seconded by Cllr. McHugh and agreed that Cllr. Broderick be appointed as a member of the Galway West Regional Authority.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF GALWAY RURAL DEVELOPMENT COMPANY** 725

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh, seconded by Cllr. McHugh and agreed that Cllr. M. Finnerty be appointed as a member of the Galway Rural Development Company.

**FILLING OF CASUAL VACANCY ON THE MEMBERSHIP OF ENVIRONMENT & WATER SERVICES STRATEGIC POLICY COMMITTEE** 726

Report dated the 7<sup>th</sup> June, 2011 was already circulated to each Member

It was proposed by Cllr. McDonagh, seconded by Cllr. Maher and agreed that Cllr. M. Finnerty be appointed as a member of the Environment & Water Services Strategic Policy Committee.

The Mayor allowed Members to raise the following issues.

Mr. Owens in reply to Cllr. McHugh confirmed that no reply had been received to date to the Members Resolution regarding the availability of Mortgages to people who wished to purchase their houses under the Tenant Purchase Scheme.

In reply to Cllr. McHugh, Mr. Kelly confirmed that the Planning Unit is very conscious to facilitate applications for school related projects to progress through the planning system in a timely manner, subject to statutory requirements. Mr. Kelly advised that the main issues arising in relation to such applications relate to environmental considerations and



traffic management and stressed the importance of same being adequately addressed by the applicants at an early stage in the process.

Cllr. Hynes requested clarification on the availability of capital funding to support the construction of rural houses, and in reply, the Manager confirmed that the 2011 Capital Allocation was fully allocated in meeting existing commitments.

In reply to Cllrs Hynes & Broderick, the Manager confirmed that it was necessary for all existing housing applicants on the housing waiting list, to complete and return documentation recently circulated the Housing Unit in order to facilitate the completion of the Housing Assessment currently being undertaken which will lead to an updated housing waiting list.

The Manager in response to Cllr. Roche confirmed that the recent advertisement for the recruitment of staff for capital projects was to fill vacancies arising on capital infrastructural projects and the filling of such vacancies was necessary in order to allow such projects, including the recent projects sanctioned by the Minister for Environment, Community & Local Government under the Water Services Investment Programme, to proceed to construction.

Cllr. Feeney referred to the new Rural Broadband Scheme that is available to individual houses and premises within an area not covered by other schemes. He said it covers existing 'blackspots' in areas such as Oughterard, Athenry, Tuam, Gort, Clifden, Carraroe, Ballinasloe and Mountbellew. It was noted that the closing date for the Scheme was the end of July. Cllr. Cuddy also supported this scheme and referred to its importance in the context of industrial and commercial development referring to the recent launch of a new company called Aspect Solutions and the employment it would provide. Cllr. E. Mannion also welcomed the scheme and encouraged those eligible under the scheme to avail of same.

Comh O'Laoi enquired if there was an emergency plan in place to provide appropriate alternative access when it is necessary to close public roads in response to accidents.

Replying Mr. Gilmore said that the responsibility for closing roads in such instances is primarily a matter for An Garda Síochána but that he would raise the matter with An Garda Síochána.

**Criochnaigh an Cruinniú Ansin**

Submitted, Approved + Signed

Michael Maher

27th June 2011

Date

CONFIRMATION OF MINUTES OF MEETINGS



**Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011**

**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD  
IN THE COMMUNITY CENTRE, KILLIMOR, ON MONDAY 23<sup>RD</sup> MAY, 2011**

**CATHAOIRLEACH:**

Cllr. J. McClearn

**I LATHAIR FREISIN:**

**Baill:**

Cllrs. T. Broderick, S. Canney, L. Carroll, S. Cuniffe, D. Connolly, M. Connolly, J. Cuddy, Comh S Ó Cuaig, T. Ó Curraoin 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, P. Roche, Comh S. Ó Tuairisg, Cllrs. S. Walsh B. Willers.

**Oifigigh:**

Ms. M. Moloney, County Manager, Messrs. J. Cullen, F. Gilmore, K. Kelly, E. Cummins, Directors of Services, G. Mullarkey, Head of Finance, M. Owens, County Secretary, E. Molloy, Senior Engineer, A. Farrell, Senior Executive Officer, R. O'Boyle, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

**RESOLUTIONS OF SYMPATHY**

693

A resolution of sympathy was extended to the following:-

Peggy Duffy, Waterdale, Claregalway, Co. Galway  
Michael & Mary Canavan, Doire Iorrais, Rosmuc, Co. na Gaillimhe

The Mayor welcomed everyone to Killimor and conveyed his thanks for their attendance. The Members expressed their appreciation for the Mayor's welcome and wonderful hospitality in Killimor.

The Mayor welcomed Mr. Michael Owens to his first meeting as County Secretary, and also welcomed the return of Mr. Eugene Cummins to the post of Director of Services for Corporate, Housing and the Emergency Services, and wished them well in their new positions.

**CONFIRMATION OF MINUTES OF MEETINGS**

694



## Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011

The Minutes of Monthly Meeting held on 18<sup>th</sup> April 2011 were approved by the Council and signed by the Mayor on the proposal of Cllr. Maher, seconded by Cllr. Carroll.

### REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION

695

The Report of the Housing SPC Meeting held on 1<sup>st</sup> September 2010 was approved by the Council on the proposal of Cllr. Willers, seconded by Comh. O'Curraoin and agreed.

The Report of the Corporate Policy Group Meeting held on 20th December 2010 was approved by the Council on the proposal of Cllr. Fahy, seconded by Cllr. Cuddy and agreed.

On the proposal of Cllr. McDonagh, seconded by Cllr. Maher it was agreed that a Special Meeting of the Council be held in Aras an Chontae on Monday, 13th June, at 2.00 p.m. to deal with the filling of the casual vacancy arising due to the election of Cllr. Mullins to the Senate, and also to fill vacancies on various bodies and committees.

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

696

On the proposal of Comh. O'Tuairisg, seconded by Comh O'Curraoin, it was agreed for the Council to declare the following road to be a public road, the statutory procedure having been complied with.

Road commencing at junction with County Road L52395 in the townland of An Seanbhaile and extending south as appropriate for a distance of 320 metres in the townland of An Seanbhaile and finishing at Martin Conneely's house in the townland of An Seanbhaile.

Electoral Area: Conamara

### TO CONSIDER A PROPOSAL UNDER SECTION 73 OF THE ROADS ACT 1993 TO EXTINGUISH A PUBLIC RIGHT OF WAY – A SECTION OF THE L4514-70 IN THE TOWNLAND OF BALLYBAUN COMMENCING 40 METRES FROM ITS JUNCTION WITH THE REALIGNED L4514 FOR A LENGTH OF 112 METRES TO ITS LIMIT ADJACENT TO THE NEW M18 GORT TO CRUSHEEN MOTORWAY

697

Report dated 17<sup>th</sup> May, 2011 was already circulated to each Member.

On the proposal of Cllr. Finnerty, seconded by Cllr. Willers, 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 l4514-70 in the townland of Ballybaun commencing 40 metres from its junction with the realigned l4514 for a length of 112 metres to its limit adjacent to the new m18 Gort to Crusheen motorway be and is hereby extinguished.



**Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011**

**AGREEMENT WITH GALWAY CITY COUNCIL PURSUANT TO SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 – BALLINDOOLEY CROSS**

698

Report dated 17<sup>th</sup> May, 2011 was already circulated to each Member.

It was proposed by Cllr. Hoade, seconded by Cllr. Cuddy, and agreed, to approve the Agreement with Galway City Council pursuant to Section 85 of the Local Government Act 2001 – Upgrade Ballindooley Cross on N84 Galway/Headford Road.

**TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.1538 HECTARES OF LAND AT BISHOP STREET, TUAM, CO. GALWAY**

699

Report dated 12<sup>th</sup> May, 2011 was already circulated to each Member.

Mr. Cullen referred to the Statutory Notice above. He advised the Members that the proposed inner relief road for Tuam was the subject of a Part 8 Planning approval by the Council previously. He also said that part of the road was also included in a planning permission granted by An Bord Pleanála under Reference No. PL07.229471 to Joseph and Helen O'Toole for a significant mixed use development in the centre of Tuam. He referred to Drawing No 01 dated 19th May, 2011 which had been circulated to the Members and said that as part of the proposal for the construction of the inner relief road and the re-routing of water services infrastructure within the road corridor as part of the contract for the Tuam Town Water and Main Drainage Scheme, it was being proposed to dispose of the lands marked 4 and C – D on Drawing No. 01 dated 19th May, 2011, to Joseph and Helen O'Toole. He advised that an extinguishment of public right of way would be needed for the area C – D following completion of the inner relief road marked A – B and its transfer to public ownership.

On the proposal of Cllr. McHugh, seconded by Cllr. Canney, it was agreed that the disposal of 0.1538 hectares of land at Bishop Street, Tuam, Co. Galway to Joseph and Helen O'Toole Bishop Street, Tuam, be approved.

**TO APPROVE THE MAKING OF AN ALLOCATION SCHEME UNDER SECTION 22 OF HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009**

700

Report dated the 20<sup>th</sup> May, 2011 was already circulated to each Member.

Mr. Farrell presented the Report and recommended it for approval by the Members.

It was proposed by Cllr. McDonagh, seconded by Cllr. Feeney, and agreed to approve the Making of an Allocation Scheme under Section 22 of the Housing (Miscellaneous Provisions) Act, 2009

Following further discussions, it was proposed by Cllr. McHugh, seconded by Cllr. S. Walsh and agreed that Galway County Council make an application to the Department of the Environment or the Housing Finance Agency, whichever is the more appropriate to have Funding made available to Galway County Council to enable the Council to provide



## Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011

mortgages under the Tenant Purchase Scheme so that people who are eligible to purchase their own home under the Scheme be permitted to do so.

### ANNUAL FINANCIAL STATEMENT

701

Report dated 22nd June was already circulated to each Member.

Following a lengthy discussion which took place on the collection of Water Charges, Rates, the operation of the Machinery Yard Account, the NPPR Payment, and the valuations on properties, the following were proposed, seconded and agreed:-

It was proposed by Cllr. Mannion seconded by Cllr. McDonagh and agreed that the Annual Financial Statement for the Year Ended 31st December, 2010 be adopted.

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

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

It was agreed that the issues in relation to Rates rates would be re-examined at the next Meeting of the Council.

### FINANCIAL REPORT OF THE COUNCIL TO THE 30<sup>TH</sup> MARCH 2011

702

Report dated 17<sup>th</sup> May, 2011 was already circulated to each Member.

Mr. Mullarkey presented the Financial Report for the period ending 31<sup>st</sup> March, 2011 as circulated.

It was proposed by Cllr. McDonagh, seconded by Cllr. S. Walsh and agreed to note the Financial Report of the Council to the 30<sup>th</sup> March 2011.

### FILLING OF CASUAL VACANCY ON THE BOARD OF GALWAY RURAL DEVELOPMENT COMPANY

703

Report dated the 17<sup>th</sup> May, 2011 was already circulated to each Member.

It was proposed by Cllr. McDonagh and seconded by Cllr. Cuddy that Cllr. Broderick be nominated. As there was no further proposal in respect of this vacancy, it was agreed and the Mayor declared Cllr. Broderick appointed as a member of the Board of Galway Rural Development.

### RESTRICTIONS ON TURF CUTTING ON RAISED BOGS

704

Cllr. Canney thanked the Mayor for acceding to his request to discuss the issue and referred to the present economic climate and the fact that people are relying on this fuel.



## Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011

He expressed the view that Galway County Council should not become a vehicle to implement and monitor the restriction on turf cutting on certain raised bogs.

Cllr Roche referred to ongoing discussion and stated that he was confident that a satisfactory outcome would be found. Cllr. S. Walsh indicated that it was necessary for the Minister to take a common sense approach to resolving the issue and proposed that NPWS be accountable to local authorities. Cllr. T. Mannion highlighted the impact on families and individuals due to the restrictions and welcomed the ongoing discussion and the step back from a confrontation approach to resolving the issue.

Cllr. D. Connolly outlined that compensation should be paid based on the market value of the bog and agreed with the proposal that the Council should not be involved in the implementation and/or monitoring of the restrictions. He noted that no bogs under the remit of the semi-states had been the subject of the restrictions and criticise the threat to single farm payments due to non-compliance with the restrictions.

Cllr. M. Connolly stated that the issue was not about compensation and that the interpretation of the Habitats Directive by the NPWS needed to be revisited. He indicated that there was no threat to single farm payments.

Cllr Hynes stated that the restrictions were unfair, unjust and contravened the rights of those who cut turf for domestic use. Comh O'Tuairsg referred to the situation of turf cutting in Connemara acknowledging that the issue in Connemara related to how turf is cut and the potential for future restrictions on same.

The Mayor indicated that as the NPWS was a national service it was not possible for it operate under the remit of individual local authorities but that it was necessary to re-examine the Irish interpretation of EU Directives in comparison to our EU partners.

It was proposed by Cllr. Canney, seconded by Comh O'Curraoin and agreed that "Galway County Council support bog owners right to continue to cut turf for domestic use in their own bogs".

## CONFERENCES

705

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

In accordance with the requirements of Section 177 of the Local Government Act 2001, Cllr. S. Walsh declared a beneficial interest in a listed Conference being organized by Esperanze Enterprises, Glann, Oughterard, Co. Galway

**Border, Midland & Western (BMW) Regional Assembly – 2011 Annual Conference – Innovation & Competitiveness – Restoring the Regional Economy – 6<sup>th</sup> May – Sheraton Hotel, Athlone, Co. Westmeath**

Cllr. S Ó Tuairisg

**Kadenza Consultancies – Programme for Government & Local Government – 6<sup>th</sup> – 7<sup>th</sup> May – City North Hotel, Gormanstown, Co. Meath**



**Minutes of Monthly Meeting held on 23<sup>rd</sup> May 2011**

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Cllr. K Ryan

**TASC (Think Tank for Action on Social Change) – Lessons from the Crisis: Money, Taxes & Saving in a Changing World – 9<sup>th</sup> May – Croke Park Conference Centre, Dublin**

Comh. Seán Ó Tuairisg

**Mediacontact.ie – Mash 2011 – Exploding Media – 10<sup>th</sup> May – Croke Park Conference Centre, Dublin**

Cllr. P Roche

**Celtic Conferences – Public Speaking & Promotional Literature Design – 13<sup>th</sup> – 15<sup>th</sup> May – Celtic Ross Hotel, Rosscarbery, Co. Cork**

Cllr. P Hynes, P Roche

**Ashford Building Services – Renewable Energy – Local Government can make a difference – 3<sup>rd</sup> – 5<sup>th</sup> June – Mill Park Hotel, Donegal Town, Co. Donegal**

Cllr. J Mc Donagh, T McHugh, E Mannion, T Walsh, M Maher, K Ryan, J McClearn

**Centre for Ageing Research & Development in Ireland – Is increasing Life Expectancy also improving Ageing? – 7<sup>th</sup> June – Radisson Blu Hotel, Golden Lane, Dublin**

Comh. S Ó Tuairisg

**MANAGERS BUSINESS**

706

The Manager briefed the Members on the current position in relation to the Galway City Outer By -Pass and confirmed that the questions to be submitted for determination by the European Court had been agreed and it was now necessary to await the determination of the Court.

Mr. Cullen advised the Members that the Council had received approval to proceed with the detailed design and tendering for a new reservoir at Tonabrucky with an estimated value of €3.18 Million. He said approval had also been received for water conservation rehabilitation works with a value of €3 Million and also funding approval of €300,000 under the small schemes programme for new initiatives in energy efficiency and integrated constructed wetlands. He said that on his recent visit to Galway County Council, Minister Phil Hogan had announced approval for the network for the Claregalway and Milltown Sewerage Schemes with an estimated value of €2.87 Million and also the Clifden Sewerage Scheme at an estimated value of €6.94 Million. He said the total value of the water services investments would be in the order of €16 Million.



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Mr. Gilmore referred to Department Circular RW 5/2011, dated 11<sup>th</sup> May relating to an extra allocation of €3.38 million allocated to County Galway under the Restoration Improvement Grant arising from the recent Jobs Initiative.

Mr. Gilmore advised that that agreement had been reached to extend the existing flexibility to allocate a maximum of 20% of the Improvement allocation for localised repairs adjacent to routes being improved to the additional allocation of €3.38 million. He confirmed that the revised proposals shall be brought to the Electoral Area Committee over the coming weeks.

In reply to Cllr. McHugh, Mr. Gilmore confirmed that no official announcement had been made in relation to the M17/M18 Gort to North of Tuam Scheme. He advised that it was his understanding that discussions were ongoing with the two preferred bidders including the potential to proceed by means of an alternative financial model. Mr. Gilmore confirmed that these discussions were being managed directly by the Public Private Partnership Unit of the National Roads Authority.

Mr. Owens referred to two replies, copies of which had been already circulated, to two previous resolutions by the Council, from the Office of Public Works and the Department for Education & Skills.

The Members expressed their disappointment at the decision of the Office of Public Work to decline their invitation to attend a Meeting of the Council to discuss management and access issues relating to OPW sites in County Galway. Following discussion it was agreed that the Members would provide details of the specific sites and the issues relating to same they wished to raise with the OPW to Mr. Owens in order to facilitate a further communication with the OPW on the matter.

Comh. O'Tuairisg referred to the reply from the Department of Education & Skills and referred to the standard of education provided and the role small schools play in the local community and requested that the Council should use its influence to highlight same during the consultation process referred to in the reply from the Department.

Mr. Owens referred to Circular Letter R.06/11 from the Department of Environment, Community & Local Government relating to the Nomination of candidates for President, a copy of which had been already circulated, and proceed to outline the contents of same highlighting the requirements in relation to the nomination of candidates for election as President and the associated timescales.

## MAYORS BUSINESS

707

Cllr. Carroll briefed the Members on the current position in relation to the future funding of Galway Airport and following discussion it was proposed by Cllr. Carroll, seconded by Cllr. Willers and agreed that "this Council calls on the Minister for Transport, Tourism & Sport to continue the OPEX (Operational Expenditure) Funding for Galway Airport for the next 5 years in view of the airports key importance to the sustaining of employment, the attracting of future foreign direct investment and the development of tourism in the region".



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In reply to Cllr. Feeney, Mr. Gilmore confirmed that the Council had not been consulted to date in relation to the proposal to replace roundabouts on the N6 around Galway City with Traffic Lights. Following discussion on this matter, during which the Members expressed significant concerns in relation to the potential negative impact of the proposal on traffic flow including commuter traffic that exists between Galway City & County, it was agreed that Management would convey the Members concerns to Galway City Council.

Comh O'Tuairsg referred the requirement in the Planning & Development Act 2010 to recognise existing Rights of Way in the County Development Plan and requested that same be undertaken in the context of the current variation of the County Development Plan to incorporate the Core Strategy. Mr. Kelly advised that due to the significant amount of preliminary work that would be required to facilitate same and the existing workload of the Planning Unit in relation to the Core Strategy, Wind Energy Strategy, Local Area Plans and the workload and timeframe associated with the commencement of provisions relating to the control of quarries, it would not be possible to address the issue of rights of way in the current variation process but that individual issues relating to rights of way can be addressed as they arise.

In reply to Cllrs. Roche & Maher, Mr. Cullen confirmed that guidelines are in place to ensure consistency in the approach to both the size, specification and placement of headstones in Council graveyards.

In reply to Comh O'Laoi, Mr. Gilmore confirmed that it was anticipated that the preliminary report on the review of the Fire Service in South Conamara would be finalised in the next few weeks.

Cllr. Cuddy referred to the removal of the Administration of the Higher Education Grants System to Dublin next year and following discussion it was proposed by Cllr. Hoade, seconded by Comh. O'Tuairisg and agreed that the following proposal be conveyed to the Minister for Education and circulated to all local authorities "Galway County Council is opposed to the transferring of the processing of Higher Education Grants from Local Authorities to Dublin City Vocational Education Committee"

In reply to Cllr. Cuddy, the Manager confirmed that it was her understanding that consideration was being given by the Department of Transport to centralising the issuing of driving licences in the context of rolling out a new format for Driving Licences. It was proposed by Cllr. Cuddy, seconded by Comh O'Tuairisg and agreed that the following proposal be conveyed to the Minister for Transport, Tourism & Sport and circulated to all local authorities "that Galway County Council is opposed to the transferring of the issuing of Driving Licences from Local Authorities to Central Government".

## SUSPENSION OF STANDING ORDERS

708

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

In reply to concerns expressed by Cllr Cuddy in relation to the impact of the area re-organisation proposals on the ability of the Oranmore Office in Lackagh to maintain



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service delivery standards and deliver the Roads Programme, Mr. Gilmore confirmed that he was confident that the 2011 Roads Programme would be delivered in full, that the area re-organisation proposal would provide additional flexibility for staff to operate across areas to deliver the programme and that the delivery of the Roads Programme in the Oranmore Area would remain a priority for the Senior Executive Engineer for the Northern Division.

Cllr. D. Connolly highlighted difficulties being experienced by a member of the public in identifying the appropriate body to raise particular issues with arising from the flooding of her home in late 2009 and requested that the matter be taken up by the Flood Relief Group. The Manager in response to Cllr. D. Connolly requested that he forward the relevant details in order that the matter could be pursued further.

In response to Cllr. Willers, Mr. Cullen agreed to provide an update and timeframe at a forthcoming meeting of the Loughrea Area Committee for the advancement of the Prohibition Order necessary to regulate temporary dwellings in Kinvara.

### NOTICE OF MOTIONS

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

709

*The following reply was given:-*

“Galway County Council will improve signage in this area. We are currently finalising the locations and quantifying the required signage which will subsequently be purchased and erected.”

#### **NOTICE OF MOTION NO 16 – CLLR. E. MANNION**

710

*The following reply was given:-*

“As the pedestrian crossing requested is located on a National Route it is necessary to receive the consent of the NRA to proceed with it. Galway County Council will submit a proposal for a pedestrian crossing in the village of Leenane to the NRA.”

#### **NOTICE OF MOTION NO 17 – CLLR. E. MANNION**

711

*The following reply was given:-*

“Unfortunately, there is no funding available in the 2011 Roadworks Programme for the provision of new public lighting. However, if funding should become available at a future date, consideration will be given to the provision of increased public lighting in Leenane Village.”

#### **NOTICE OF MOTION NO 18 – CLLR. M. FAHY**

712



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*The following reply was given:-*

“Unfortunately, due to a lack of resources it is not possible to carry out further pavement works in Gort Town, at this point in time. An application for further funding will be made when compiling proposals for the Roadworks Programme in 2012.”

**NOTICE OF MOTION NO 19 – CLLR. M. FAHY**

**713**

*The following reply was given:-*

“The €600,000 allocated towards this project will be spent in the townland of Pollagh. It is envisaged that 700metres of roadway will be improved with this allocation.”

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

**714**

*The following reply was given:-*

“The extension of the Speed Limits on both sides of Ballinderreen will be considered in the context of the next review of the Speed Limit Bye-Laws. This location is currently being examined for its suitability for traffic calming measures.”

**NOTICE OF MOTION NO 21 – COMH. S. O'TUAIRISG**

**715**

*The following reply was given:-*

“Tá go leor obair le déanamh ag an gComhairle ó thaobh uasghrádú píoblínte sa chontae agus tá teoireann ar na maoin atá ar fáil. Ainneoin sin táimid dóchasach to mbeidh athnuachan déanta ar an píopa i bothchuana i mbliana.”

**Criochnaigh an Cruinniú Ansin**

Submitted, Approved + Signed

Michael McCher

27th June 2011

Date



Galway County Council Archives